



Nevada's Medical Marijuana Program

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January 27, 2014

Where are we in the process?

- o In October 2013, the Division held 4 stakeholder meetings over 3 days focused on each of the 4 establishment types and the application process.
- o On December 23, 2013, the Division held a Public Workshop.
- o All sessions were well attended; there are over 700 people signed up on our listserv.
- o The revised draft regulations were sent to LCB on January 13, and we anticipate having the regulations back from the LCB in February.

What Happens Next?

- Once the Division receives the proposed regulations back from the LCB, a date will be set and noticed for a hearing of the State Board of Health (SBOH), anticipated to be held in March 2014.
- The SBOH may or may not make changes. If the SBOH approves the regulations, they will be sent to the Legislative Commission.
- The Legislative Commission may not make any changes to the regulations, only approve or reject them.

Regulations are Only One Part

- o The Division is also working to establish the operational side of the program.
- o The Interim Finance Committee approved one portion of the budget on December 9, 2013. It included authorization for 7 inspection-related positions.
- o We anticipate the second portion of the budget to be considered on February 6, 2014. It will propose a manager, 2 other administrative positions and 2 additional inspectors.
- o The manager will be supervised by Chad Westom, Bureau Chief.

Implementation and Oversight of MMEs

- o All positions are new positions in the State system and are currently being evaluated by State Personnel for the purpose of new classifications.
- o The Division anticipates it will start hiring in March 2014.

Application Solicitation

Sec. 25. of the proposed regulations lay out the application solicitation process:

1. The Division shall issue a request for applications to operate a medical marijuana establishment. The Division shall provide notice of a request for applications to operate a medical marijuana establishment by:

(a) Posting on the website of the Division that the Division is requesting applicants to submit their applications;

(b) Posting a copy of the request for applications at the principal office of the Division, the Legislative Building, and at not less than three other separate, prominent places within this State; and

(c) Making notification of the posting locations from the LISTSERV maintained by the Division for medical marijuana establishment information.

Application Solicitation (*cont*)

2. When the Division issues a request for applications, the Division will include in the request the point values that will be allocated to the applicable portions of the application.
3. The Division will accept responses to a request for applications for 10 business days beginning 45 business days after the date on which the Division issues the request for applications.
4. If the Division receives a response to a request for applications at a time other than the time set forth in the proposed regulations, the Division must return the response to the entity that submitted the response.

Application Requirements

- Application requirements are specified in Sections 26, 26.5, and 27 of the revised draft regulations.
- Sections 28, 29, 30 and 31 guide the Division after applicants are ranked.
- Working with representatives of local government, the regulations envision that the Division is the first line of review of applicants. Local governments will have access to all information on applicants.
- Once an applicant is forwarded to a local government, the Division will issue a provisional certificate.

County Authority/Dispensaries

Partial Excerpt of NRS 453A.326 Registration of establishments in larger counties: Limitation on number of medical marijuana dispensaries located in any one governmental jurisdiction within county; limitation on number of certificates issued to any one person; certificates deemed provisional pending compliance with local requirements and issuance of local business license. [Effective April 1, 2014.]

1. Except as otherwise provided in this subsection, in a county whose population is 100,000 or more, the Division shall ensure that not more than 25 percent of the total number of medical marijuana dispensaries that may be certified in the county, as set forth in NRS 453A.324, are located in any one local governmental jurisdiction within the county. The board of county commissioners of the county may increase the percentage described in this subsection if it determines that to do so is necessary to ensure that the more populous areas of the county have access to sufficient distribution of marijuana for medical use.

MMEs must be Operational...

- Section 34 of the revised draft regulations specifies that if a medical marijuana establishment is not fully operational within 18 months after the date on which the Division issued the establishment a medical marijuana establishment registration certificate, the Division may revoke the registration certificate.

Issues Worked Through

Some of the major issues that came up during the regulations development process:

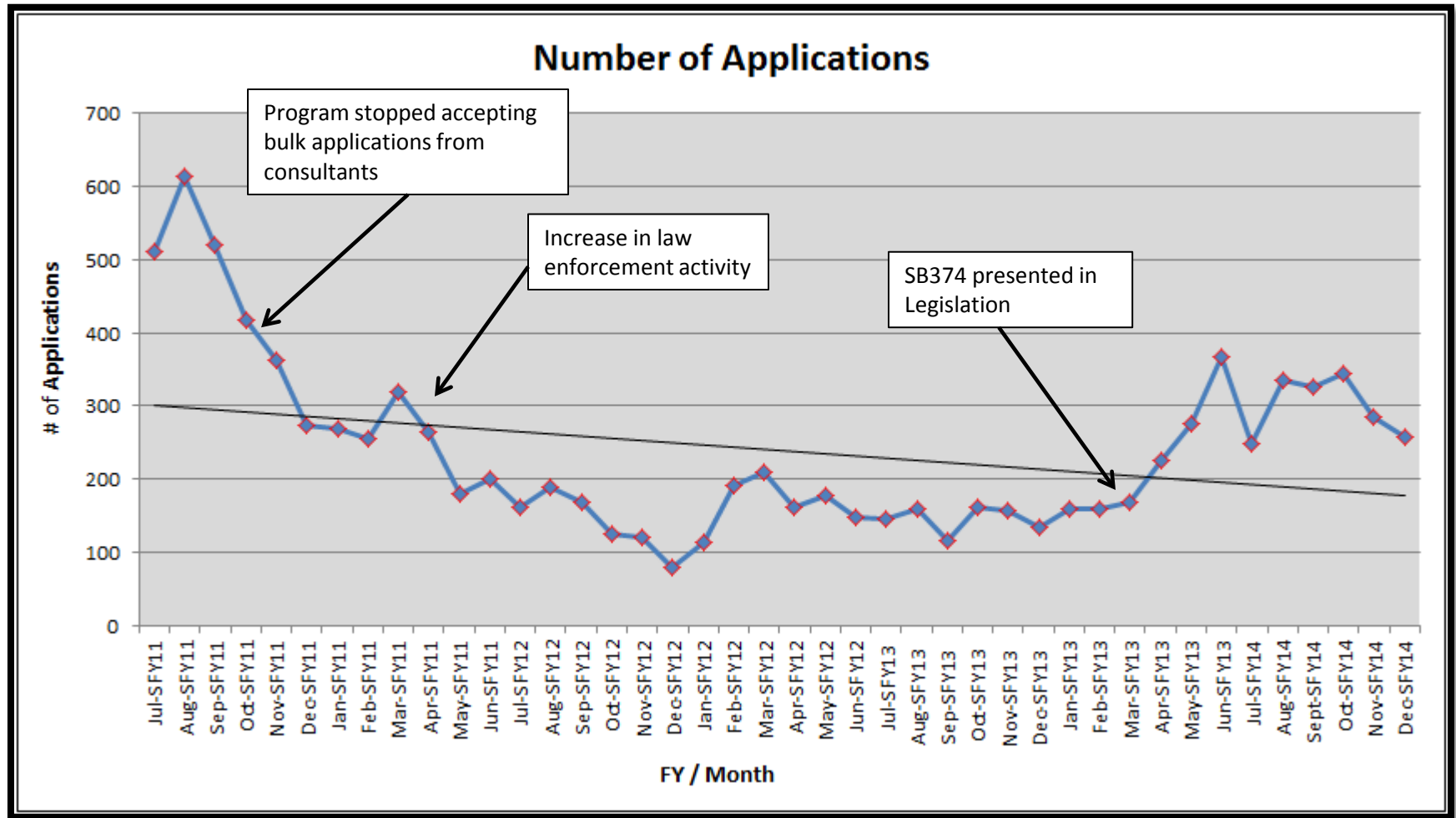
- Costs: established by Legislature and codified in NRS
- Competitive process: different than how we license
- Zoning provisions/when local governments engage
- Nevada residency
- Number of other establishments
- Transferring a certificate
- 10-day application window

Issues Worked Through (cont)

- o NRS 453A.322 prohibits establishments from locating within 1,000 feet of schools and community facilities, but does not outline how the distance is to be measured.
- o The confidentiality provisions could be looked at to ensure we are protecting patient information and certain establishment information but not unnecessarily withholding what should be public.
- o Appeal rights are not specified in the NRS and guidance in that area would be helpful.

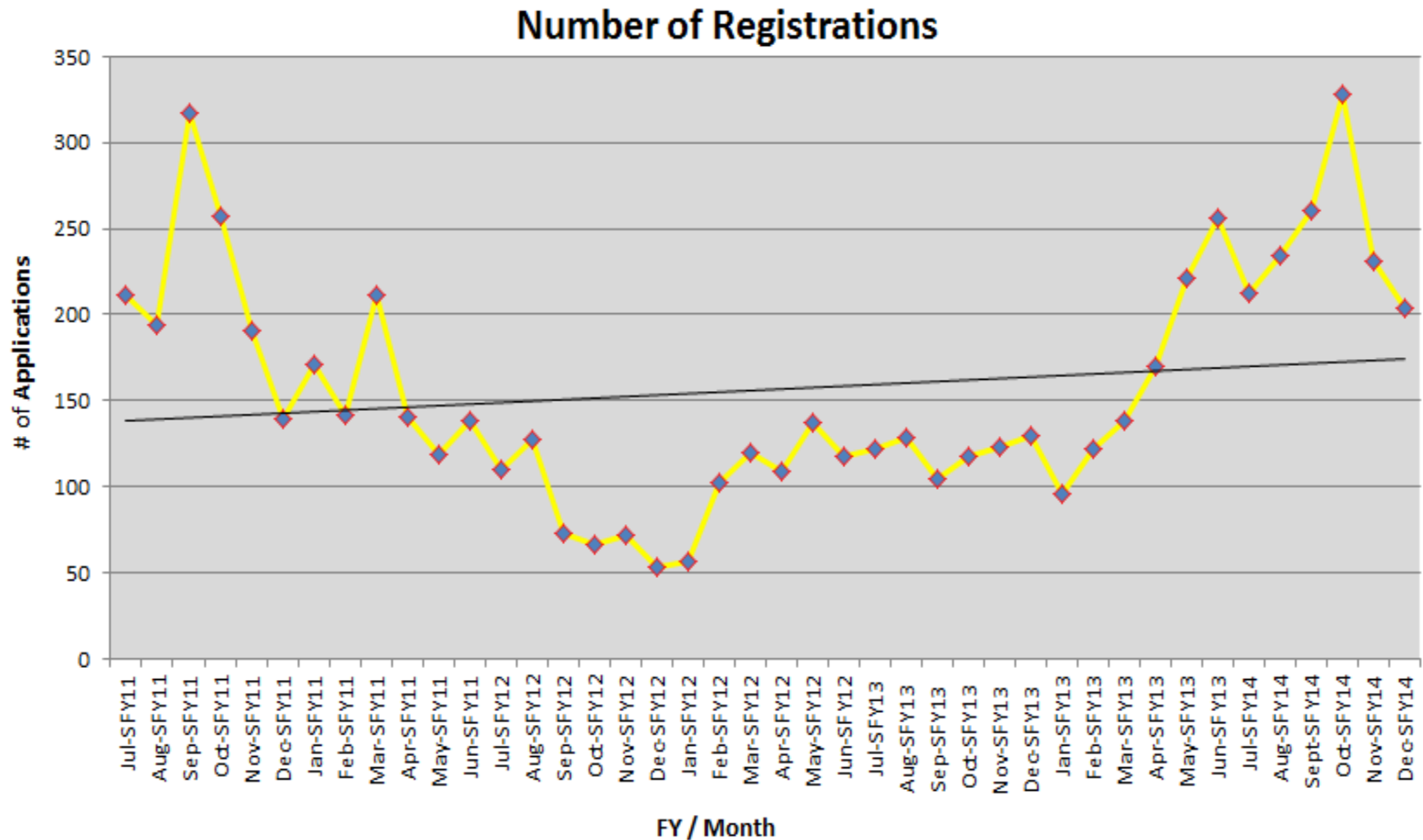
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Card Holder Enrollment Trends



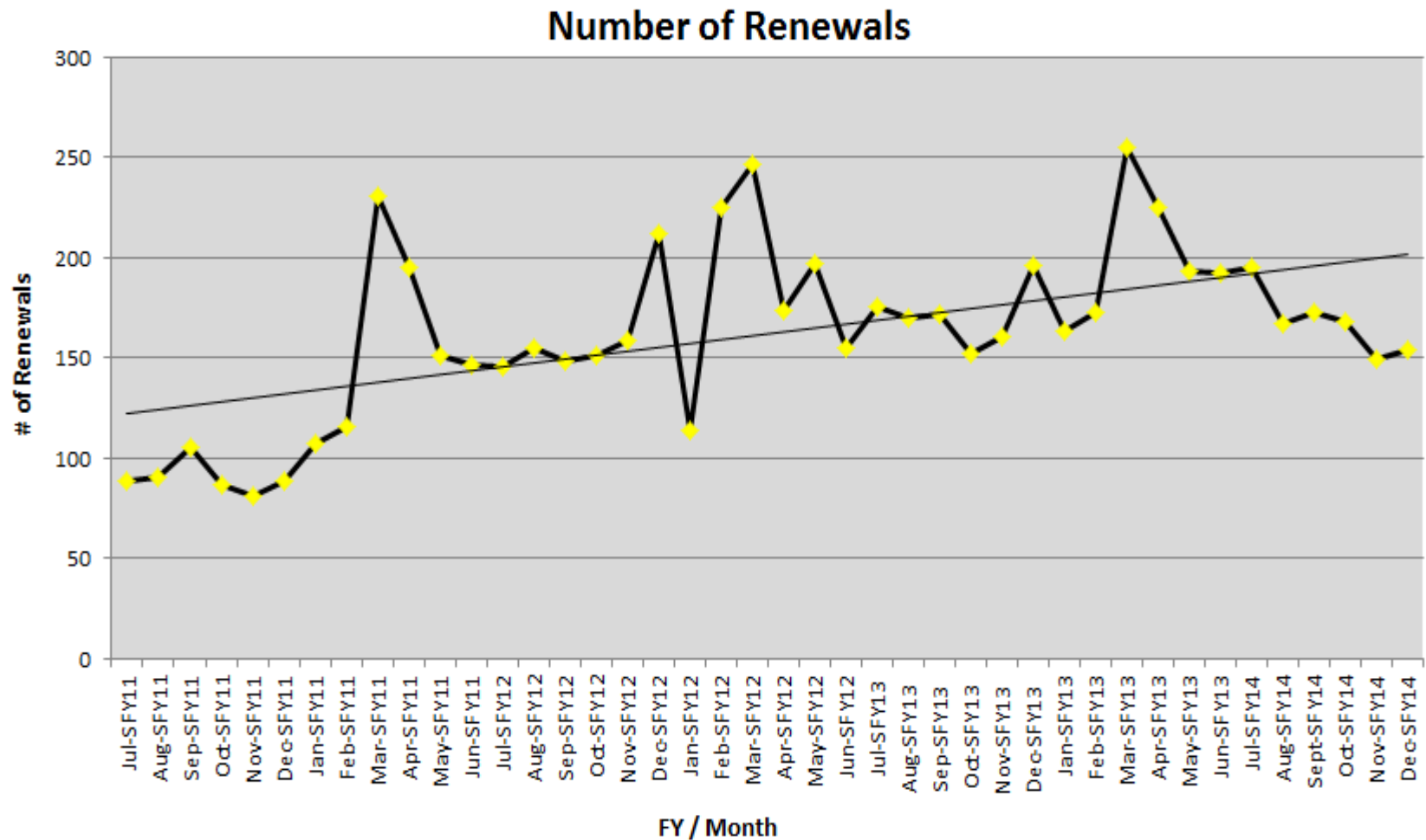
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Card Holder Enrollment Trends



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Card Holder Enrollment Trends



Nevada Medical Marijuana Program

Current Cardholder's Conditions

CONDITION	Total	Percentage
Severe Pain	4473	65%
Muscle Spasms	950	14%
Severe Nausea	827	12%
Cancer	202	3%
Cachexia	156	2%
Seizures	122	2%
Glaucoma	93	1%
HIV+/AIDS	60	1%
Grand Total	6883	

Includes data through December 31, 2013

Nevada Medical Marijuana Program

Current Cardholders by Age Group

Age Group	Total	Percentage
65 years of age or older	635	13%
55 to 64 years old	1129	23%
45 to 54 years old	1039	21%
35 to 44 years old	923	19%
25 to 34 years old	925	19%
21 to 24 years old	186	4%
18 to 20 years old	45	1%
Less than 18 years of age	9	<1%
Grand Total	4891	

Includes data through December 31, 2013

Success through Cooperation

- o The Division looks forward to working with the Advisory Commission on the Administration of Justice and your Subcommittee on the Medical Use of Marijuana to strengthen the program and provide the cardholders of Nevada with the safest, best quality medicine possible.
- o The regulations should be adopted by March 2014. After the positions are in place, we can hire staff and proceed with the other activities that will allow us to begin soliciting applications.