

Submission of Hilary Black to the City of Vancouver on the Proposed Regulation of Retail Dealers – Medical Marijuana-Related Uses

Introduction

Pursuant to my presentation to the mayor and council on June 10th, I have prepared the following information to answer the questions you tasked me with.

For those counsellors not in attendance on June 10th, highlights of my background include:

- Founder of the first medical cannabis dispensary in Canada, the BC Compassion Club Society and Wellness Center, in 1997.
- Recipient of the Diamond Jubilee Medal recognizing a significant contribution to Canada for medical cannabis related work.
- Currently the Director of Community and Patient services for Bedrocan Canada, one of the federally license producers of medical cannabis.
- Advisor to the Canadian Medical Cannabis Industry Association
- Advisor to the Canadian Association of Medical Cannabis Dispensaries
- Advisor to the BC Compassion Club Society

I understand this document needs to be submitted to the city before the close of the public hearings, in fact if you are to have time to look at it, I am told it needs to be submitted by 3 pm June 12th. Given the short timeline, this will not be as thorough of a report as I would like to prepare for you, instead a summary of my suggested solutions. If the council and mayor choose to send the regulations back to city for further revisions I am at your service and would be happy to provide further information.

The council and mayor requested input on four issues:

1. Solutions to address coastal health authorities concerns regarding edible cannabis products.
2. A list of the long-standing dispensaries who contribute to their community and should not be forced to move.
3. Suggestions for altering the fee structure to account for *true* non-profits Societies and to mandate giving back to the patients and community.
4. How the proposed regulations need to be amended to better address the needs of critically and chronically ill patients.

To address these four issues I submit 8 recommendations for your consideration.

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Recommendations

Recommendation #1 – Edible cannabis products should be regulated in a responsible manner, not banned, consistent with the recent Supreme Court ruling.

(Recommended Regulations 3. Operational Regulations, Table 1)

The coastal health authority is concerned about edible cannabis products being attractive to children and posing a danger to youth. As the council has already repeatedly heard in the hearing, the proposal to only allow infused oil is not adequate account for patients diverse medical needs. The Supreme Court unanimously voted that all medical cannabis products, including edibles, are constitutionally equivalent and they therefore legalized possession of edibles for medicinal use. I encourage Vancouver to consider regulations that follow the spirit of the Supreme Court Ruling.

The following are suggestions to address the concerns of the Coastal Health Authority.

Packaging

- Opaque or solid packaging materials are used so the product is not visible
- Childproof pouches used as shopping bags to place edible products in before the patient leave the dispensary.
- Example: (<http://www.marijuanapackaging.com/dispensary-supply/child-resistant-astm-bags.html>)
- Child resistant lids for products administered in bottles or jars.

Labelling

- Plain and “boring” print only
- No bright colours used
- Clear warning labels
 - NOT FOR CHILDREN This product contains cannabis and has intoxicating and potentially psychoactive effects. Keep out of the reach of children. Do not operate heavy machinery or drive when using this medical product. Do not mix with alcohol as this will intensify the effects. For personal and medical use only.
- Safe dosing instructions
 - DOSE LOW AND GO SLOW. Ingesting cannabis affects your body very differently than inhaling. Always start with a small dose until you know your body’s tolerance level. Time of onset can be up to 2 hours. The length of effect can be up to 8 hours or more. Check the strength of each new batch of products before consuming a regular portion. If you are new to consuming edible cannabis

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products talk to your medical cannabis dispensary for education on how to safely self-titrate.

- Ingredients List
- Nutrition Facts
- Allergy warning
- Potency Testing
 - Total milligrams and total % of THC and CBD / serving -- *please note this will take some time to implement as certified labs are currently not authorized to test products from dispensaries.*
- Food Safe Production Requirements

Recommendation #2 – Include an exemption process to allow the council to “grandfather in” longstanding dispensaries who contribute to their communities.

(Recommended Regulations 4. Implementation Process a) Existing Marijuana-Related Uses)

The following dispensaries should not have to move from their current location. They have been serving their communities for many years, contribute resources back into their respective communities and are supported by many other patient service organizations in Vancouver. A forced move would likely cause the organizations to shut down causing immeasurable hardship for thousands of patients and interruption of important healthcare services.

- BC Compassion Club Society, founded in 1997. Located at 2995 Commercial Drive.
- Green Cross Society, founded in 2005. Located at 2145 Kingsway and 4296 Main St
- Vancouver Dispensary, founded in 2008, Located at 880 East Hastings and 1182 Thurlow St

Recommendation # 3 – Create a new category of licensing fees for non-profits who are contributing resources back into their communities.

(recommended regulations 1.c.c.)

True non-profit dispensaries should be able to apply for an exemption to the \$30,000 licensing fee and be **required to provide evidence of significant community contributions**. There are few organizations who would deserve such an exemption, therefor not significantly affecting the city’s proposed budget for implementing these regulations.

There is a distinction to be made between the non-profit societies distributing cannabis; some are actual membership-based non-profits with a full voting membership who

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maintains care and control over direction of the society, while others are not. Victoria city council has recently made this distinction.

[https://victoria.civicweb.net/Documents/DocumentList.aspx?ID=82575'](https://victoria.civicweb.net/Documents/DocumentList.aspx?ID=82575)

Registered non-profits are required to submit yearly financial statements and are financially transparent and accountable.

Recommendation #4 – All dispensaries should be required to have natural healthcare professionals on staff.

Subsidizing complimentary healthcare services is a direct and effective way of contributing to the health of the patients supporting the cannabis dispensaries. Making additional healthcare services available supports the healthy and responsible use of medical cannabis. For example, if a patients' intake dramatically increases, one might discover they recently had a death in the family and are using cannabis to manage their depression, what would serve their health in a more responsible manner would be speak with a counsellor.

Similar to the strategy of the safe injection site, offering subsidized healthcare services at medical cannabis dispensaries creates an access point for these services to marginalized and impoverished citizens of Vancouver, who would otherwise never be able to access complimentary healthcare.

This model:

- ensures a higher level of responsibility and professionalism when managing with issues such as mental health concerns.
- supports harm reduction services to those in need
- reduces financial impact on public health services

1-1000 active clients	1 full time practitioner is required
1000-2000 active clients	2 full time practitioners are required
2000-3000 active clients	3 full time practitioners are required
3000-4000 active clients	4 full time practitioners are required
4000 + active clients	5 full time practitioners are required

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Recommended healthcare practitioners appropriate to compliment cannabis therapies:

- Clinical Herbalist
- Certified Counsellor
- Certified Nutritionist
- Dr. of Traditional Chinese Medicine
- Massage Therapist
- Cranio-Sacral Therapist
- Other body workers
- Naturopathic Dr
- Nurse Practitioner

Note: At the BC Compassion Club Society there is currently a 1.5 year wait list for clinical herbalists and counsellors.

Recommendation # 5 – Allow minors to enter dispensaries if supervised by a parent or guardian or if authorized by a healthcare professional to use cannabis therapies.

(Recommended Regulations 3. Operational Regulations Table 1)

Unaccompanied minors without medical authorization to use cannabis as a medicine should not be allowed in medical cannabis dispensaries. Minors with parental or guardian supervision and those minors with an authorization to use medical cannabis in conjunction with parental permission should be allowed on the premises.

Recommendation # 6 – All dispensaries should be required to be members of the Canadian Association of Medical Cannabis Dispensaries (CAMCD) or, alternatively, should be given a demerit point if they are not.

CAMCD has developed extensive and thorough standard operating procedures to ensure high quality patient care in every aspect of operating a real medical cannabis dispensary. The certification process is rigorous ensures the safety, transparency, accountability and professionalism of the services offered.

The city's proposed regulations do not speak to intake and eligibility; in order to ensure these dispensaries are indeed for medical purposes, requiring CAMCD certification ensures appropriate intake requirements are in place.

Membership and certification in this organization should be mandatory. Alternatively, demerit points should be granted for dispensaries who are not members of CAMCD.

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Recommendation #7 – The Vancouver City Council should lobby the Federal Government to include medical cannabis dispensaries in the federal regulations, the Marijuana for Medical Purposes Regulations (MMPR).

Long standing dispensaries have spent years lobbying the federal government to bring us in out of cold and allow us to operate in a legal framework. This may be helpful position to take when taking heat from the federal government for these regulations.

Recommendation # 8 - The council should limit the number of dispensary licenses to 20.

I believe 90 medical cannabis dispensaries in Vancouver is too many. The needs of patients could be more than adequately be met by 20 high quality responsible organizations spread across the city. I suggest starting with a smaller program that is more manageable and easier to regulate.