

Report and Recommendations to the New Mexico Secretary of Health From the NMDOH Medical Cannabis Advisory Board (MCAB) to the NMDOH Medical Cannabis Program (MCP) From a Public Hearing Friday December 7, 2018 10A-1P at the Harold Runnels Building Auditorium, 1190 St. Francis Drive, Santa Fe, NM

Report prepared by Laura Brown, MD, MPH, Chair for the Medical Cannabis Advisory Board and reviewed by MCAB

A. Introductory Comments/Introduction of Board Members/Approval of Agenda

Dr. Laura Brown, MCAB Chair, called the meeting to order and reviewed the agenda, adding a discussion of the October 2018 report created by the NM Senate Memorial 105 Task Force which issued recommendations to improve affordability of, and accessibility to, medical cannabis for all New Mexicans.

MCAB Members present:

Laura Brown, MD—Family Medicine

Chris Calder, MD—Neurology

Annette Fontaine, MD—Oncology

Rachel Goodman, MD—Obstetrics/Gynecology

Belyn Schwartz, MD—Physical Medicine and Rehab/Pain Management

David Woog, MD—Anesthesia/Pain Management

Vacant MCAB positions (2) = Infectious Disease, Psychiatry

Present representing NMDOH:

Jenna Burt

Martinik Gonzales

Leah Roberts, MD

Andrea Sundberg

Kenny Vigil

Chris Woodward

B. Actions of the Secretary of Health on Previously-Submitted MCAB Recommendations from September 7, 2018

Dr. Brown announced the final report from the MCAB was submitted on December 6, 2018 so the NMDOH Secretary of Health has not had time to decide on the recommendations made by the MCAB at the September 7, 2018 meeting.

C. Medical Cannabis Program Update

Kenny Vigil states that the NMDOH Medical Cannabis Program currently has 66,725 active patients, with program staff working overtime and weekends to keep up with demand, and multiple (9) staff vacancies.

Multiple issues were discussed with among MCP staff, MCAB, and the public in attendance during this segment (please see meeting minutes for additional details of public comment).

Topics raised included:

- 1) Number of NMDOH MCP program enrollees under age 18—Kenny Vigil said he didn't know but would follow up on this
- 2) Need to have law enforcement training on medical cannabis starting at the academy level
- 3) More public and professional education and training to hospital administrators, legislators, and others to reduce stigma of medical cannabis
- 4) Interest in expanded role of MCAB beyond provision of recommendations to the Secretary of Health
- 5) Concerns about pesticides in medical cannabis—need an update from MCP regarding vacant Environmental Scientist position
- 6) Lack of medical cannabis research in US due to Schedule 1 controlled substance status vs. available research from Israel and elsewhere in the world

D. Petitions from the Public

1. 2018-003 Add Pharmacist as a Voting Member of the Board

Initially, this petition was presented by the MCP as unable to be heard as it would require a statutory change. However, this petition raises the issue of the Lynn and Erin Compassionate Use Act (LECUA) term “practitioner”, and how it is defined, whether the term “practitioner” is broad enough to allow types of practitioners such as clinician-pharmacists, nurse practitioner, physician assistants, etc. vs. needing a state legislative change to LECUA. If statutory change was required, it could be beneficial to New Mexico to include retired healthcare professionals, patients, and/or caregivers to the MCAB.

2. 2017-039 Add Degenerative Neurological Disorder and Neuroprotective as Approved Conditions

Given Dr. Calder's assertion that there was little evidence for neuroprotective applications of medical cannabis, the MCAB voted unanimously 6-0 to add Degenerative Neurological Disorder (without Neuroprotective applications) as an approved medical cannabis qualifying condition.

MCAB 12/7/2018 Public Hearing Report—page 3

3. 2018-004 Add Alzheimer's Disease as an Approved Condition

The MCAB has twice previously recommended the addition of Alzheimer's Disease to the NM list of medical qualifying conditions. These recommendations were not supported by then-Secretary of Health Lynn Gallagher.

Dr. Brown pointed out that 10 states now already list Alzheimer's Disease in their medical qualifying condition lists. The petitioner stated that 38,000 New Mexicans have Alzheimer's Disease, and therefore could potentially benefit from medical cannabis.

The MCAB voted unanimously 6-0 to again approve the addition of Alzheimer's Disease, for the third time.

4. 2018-002 Add Nystagmus as an Approved Condition

Given inadequate medical research and evidence, the MCAB, by a vote of 5-1, supported a motion to NOT add nystagmus to the list of medical cannabis qualifying conditions.

E. Public Comment

Additional comments were taken from members of the public present.

F. Adjournment and Next Public Hearing Date

Tentative May 2019 Friday dates were discussed for the next public hearing.