

Practical Considerations in Creating a Medical Cannabis Practice

Michael Saulino, MD, PhD
Physiatrist
MossRehab
Associate Professor,
Department of Rehabilitation Medicine
Thomas Jefferson University
Philadelphia, PA



Michael Saulino, MD, PhD

Disclosures

- **Research/Grants:** Bioness Inc.; Medtronic; TerSera Therapeutics LLC
- **Speakers Bureau:** Ipsen Biopharmaceuticals, Inc.; Medtronic; TerSera Therapeutics LLC

Learning Objective

1

Describe a process for adding medicinal marijuana to your practice.



What We Won't be Talking About



- Cannabinoid pharmacology
- Potential therapeutic benefits or adverse effects associated with medicinal marijuana

Reasonable Process for Adding Medicinal Marijuana to Your Practice



- Survey your patient population
- Educate your practitioners
- Decide whether medicinal marijuana fits your practice's mission
- Create a procedure
- Review your outcomes

ADULTS ONLY!

The 'Sweet PILL' that MAKES LIFE BITTER!

WOMEN CRY FOR IT - MEN DIE FOR IT!

"REEFER MADNESS"

SEE

DRUG-CRAZED ABANDON

TRAGEDY! MARIJUANA VICTIMS

A MAJOR INFLUENCE IN FORMING THE ATTITUDES THAT LED TO THE PRESENT LEGAL SITUATION REGARDING MARIJUANA... UNPARALLELED WHEN VIEWED FROM THE OTHER SIDE OF THE GENERATION GAP... A GAP THIS FILM DID SO MUCH TO CREATE...

THE NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS

MARIJUANA

WEED FROM THE DEVIL'S GARDEN!

ONE MOMENT OF BLISS - A LIFETIME OF REGRET!

"Reefer MADNESS"

WITH DAVE O'BRYEN - LILLIAN HIGLES - DOROTHY SPRETT - CARLETON YOUNG

WAKE UP AMERICA! HERE'S A ROADSIDE WEED THAT'S FAST BECOMING A NATIONAL HIGH-WAY!

Controlled Substances Act of 1970

	Schedule I	Schedule II
Potential for abuse	High	High
Accepted medical use	No	Yes
Safety	Lack of acceptable safety for use under medical supervision	Abuse of drug may lead to psychological or physical dependence
<div data-bbox="138 873 577 1044" style="background-color: #4F7942; color: white; padding: 5px; border-radius: 10px; display: inline-block;"> Physicians cannot prescribe medicinal marijuana </div> Examples	<div data-bbox="611 932 793 964" style="color: red; font-size: 2em;">→</div> <div data-bbox="825 911 1079 976" style="border: 2px solid red; border-radius: 50%; padding: 2px; display: inline-block;"> Marijuana </div> Heroin Lysergic acid diethylamide (LSD) Mescaline Gamma-hydroxybutyric acid (GHB) Methaqualone	Morphine Opium Hydromorphone Oxycontin

U.S. Department of Justice. Title 21 United States Code (USC) Controlled Substances Act. <https://www.deadiversion.usdoj.gov/21cfr/21usc/811.htm>. Updated 2015. Accessed February 21, 2020.

Medicinal Marijuana



- Greater than 100 million American adults have reported marijuana use¹
- Greater than 3 million legal medical marijuana patients registered in the United States²

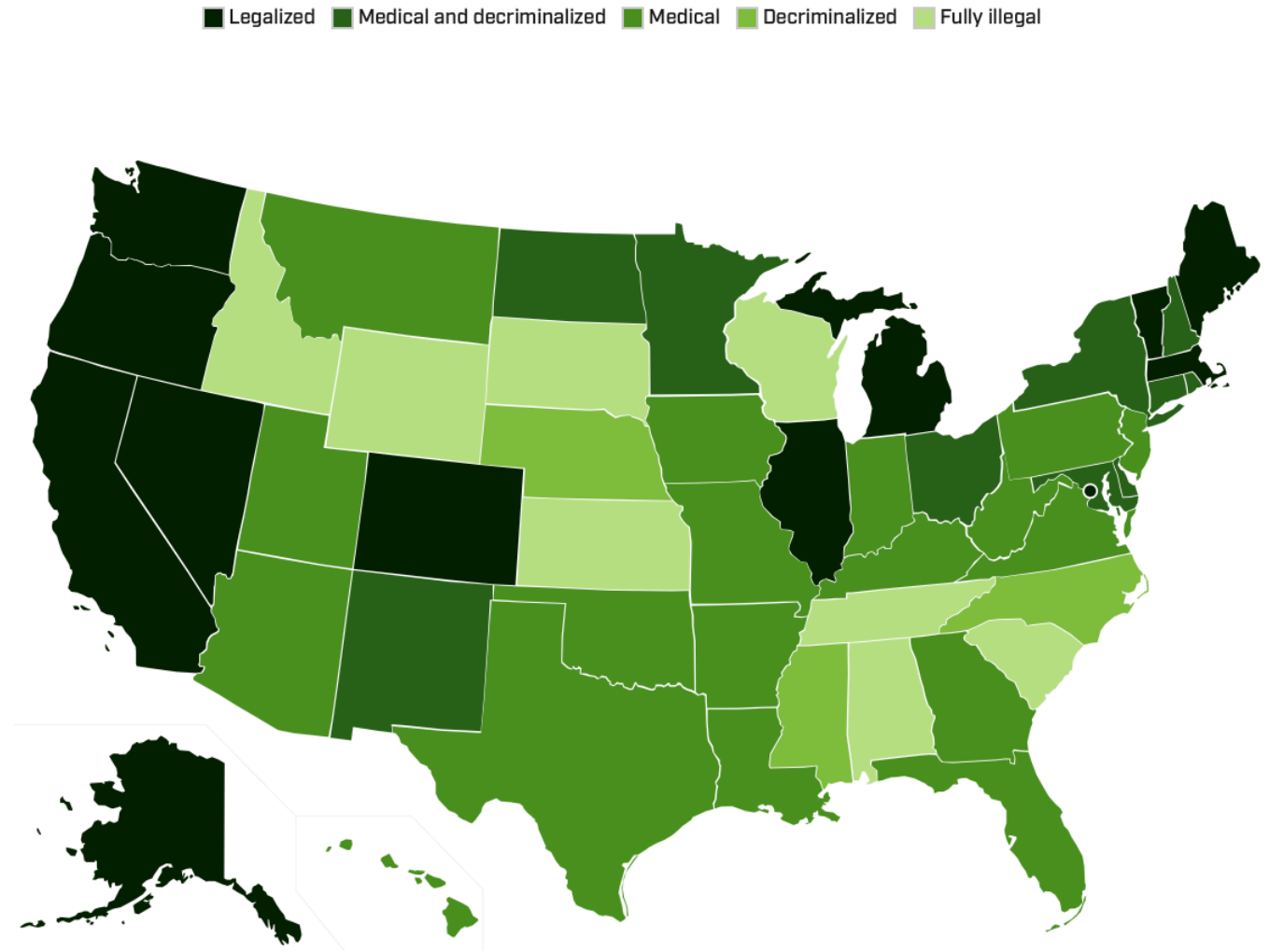
1. National Institutes of Health (NIH). National survey of drug use and health. 2018. <https://www.drugabuse.gov/national-survey-drug-use-health>. Accessed February 24, 2020.; 2. Marijuana Policy Project (MPP). Medical marijuana patient numbers. 2018. <https://www.mpp.org/issues/medical-marijuana/state-by-state-medical-marijuana-laws/medical-marijuana-patient-numbers/>. Accessed February 24, 2020.

Medical Marijuana Program History



- First state—California (1996)
- Most recent passage— Utah (2018)
- 33 states plus DC, Puerto Rico, and Guam have some form of medicinal marijuana legalized
- Differences exist between medicinal and recreational processes in some states

Current Marijuana Legality in the US



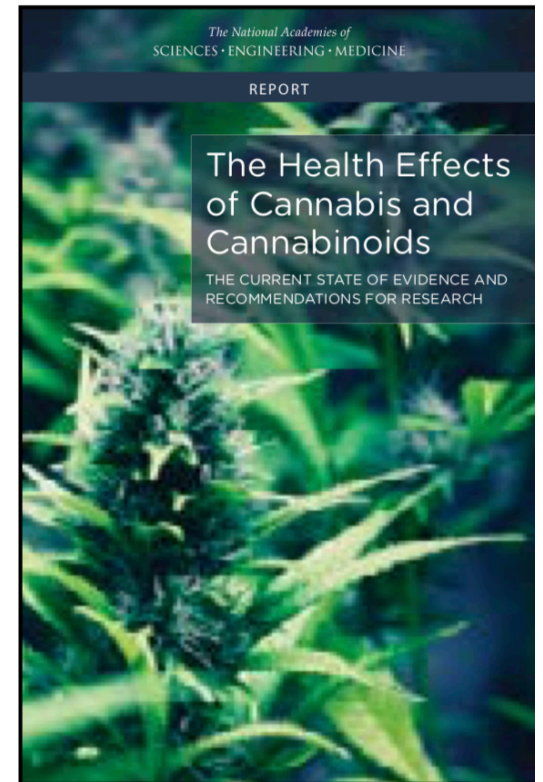
DISA Global Solutions. Map of Marijuana Legality by State. <https://disa.com/map-of-marijuana-legality-by-state>. Updated January 2020. Accessed February 24, 2020.

Survey Your Practice

- Formal or informal questioning of current patients or referring physicians
- Are you currently treating individuals with qualifying conditions?
- Top reasons patients seek medicinal marijuana:
 - Pain
 - Insomnia
 - Mood disorders

Provider Education

- Look for a balanced approach
- Many pain societies have educational sessions at national and regional meetings
- Avoid “marijuana organizations”
- Online courses
- Institute of Medicine (IOM) report



National Academies of Sciences, Engineering, and Medicine. *The health effects of cannabis and cannabinoids: the current state of evidence and recommendations for research*. 2017.

CME State Requirements



- 1 CME Credit → Rhode Island (every 2 years)
- 2 CME Credits → Massachusetts, Nevada, Florida (every 2 years)
- 3 CME Credits → Oregon
- 4 CME Credits → New York, Pennsylvania
- 5 CME Credits → New Mexico
- Other states require “evidence of education”
- Some states have no requirement

Does Medicinal Marijuana Fit Your Practice's Mission Statement?



- Does your practice prescribe oral medications?
- Does your practice treat disorders that are considered qualifying conditions?
- How will medicinal marijuana interface with existing illicit drug screening policies?

Creating the Process



- Discuss with your malpractice carrier
- Since medicinal marijuana is not “prescribed,” liability would appear limited
- Explore the context of your health system
- Does your hospital allow medicinal marijuana use during inpatient care?
- Interface with other providers
- Qualify employees or employee family members

Creating the Process (cont.)

- Internal vs. external referrals?
- Note that some states prohibit or limit advertising
- Part of existing visit vs. stand-alone appointment?
- Some states require establishment of doctor-patient relationship prior to certification
- Consider a separate consent
- Prescription drug monitoring program (PDMP) query
 - Mandated by some states

Creating the Process (cont.)



- Consider drug screening – urine, plasma, salivary, hair
- Create a fee schedule
 - Qualifying fees and product purchases are not covered by government or commercial insurance plans
 - Covered by some health savings accounts
 - Can be free
 - Define how payments can be made
- Define the length of certification

Evaluate the Outcome



- Track growth and new referrals
- Does instituting a medicinal marijuana program lead to collateral referrals?
- What is your re-certification rate?

Miscellaneous Tips



- Typically no ADA, school, or workplace protection for medicinal marijuana use
- 10 states + DC prohibit discrimination based on medicinal marijuana use
- New York City and Nevada prohibit testing for marijuana as a condition of employment (some exceptions include police, fire, EMT, school bus driver, etc.)

ADA = Americans with Disabilities Act; EMT = emergency medical technician.

Miscellaneous Tips (cont.)

- Be wary of interstate and international travel
- Gun ownership
- Sport leagues generally do not allow medicinal marijuana use
- Special licenses that have the potential for random drug testing (commercial driver's license, aircraft)

Stay Up-To-Date

- President Trump has requested that a policy to protect states' rights on medicinal marijuana policy from federal interference be removed from his fiscal year 2021 proposed budget plan
- Division B, section 531 of the Act states that the Department of Justice may not use any funds made available under this Act to prevent the implementation of medicinal marijuana laws by various states and territories

Statement by the President. Published December 20, 2019. <https://www.whitehouse.gov/briefings-statements/statement-by-the-president-33/>. Accessed February 21, 2020.



SMART Goals

Specific, Measurable, Attainable, Relevant, Timely



- Evaluate your practice to determine if adding medicinal marijuana makes sense for you
- If yes, approach the integration strategically and logically to develop a sound process
- Evaluate the outcome of the change to your practice
- Stay up-to-date on changing legislation and requirements

Questions & Answers

Don't forget to fill out your evaluations to collect your credit.

