

DHHS Therapeutic Cannabis Medical Oversight Board Meeting
May 6, 2020, Remote Meeting (Zoom)
Meeting Minutes

Members Present: Virginia Brack, Heather Brown, Corey Burchman, Jerry Knirk, Richard Morse, Molly Rossignol, Seddon Savage, Cornel Stanciu, Dennis Thapa, Tricia Tilley (for Jonathan Ballard), Lisa Withrow

Members Absent: Bert Fichman

DHHS Staff: Michael Holt, DHHS Program Administrator

Meeting convened at 5:38

Minutes

Meeting minutes from 3/4/20 were approved.

Discussion: Question re: whether planned education was for providers only or others too.

- Agreed it could be for the ATCs and the public, in addition to providers.
- One education issue aligns with legislation and that is cannabis use during pregnancy or while breastfeeding.
- ATC agents have said they want information.

Motion: Brown; Second: Withrow; Vote: 11-0

DHHS COVID-19 Update, Tricia Tilley

- Long term care facilities are the current major challenge in NH
 - Governor has a long term care meeting today
 - High death number today, all in long term care facility outbreaks
- Robust testing plans. Recommendations for testing were limited in the beginning due to PPE limits. Now more liberal.
 - New online portal. Any individual can sign up for a test
 - Six state testing sites across the state
 - Both private and state labs helpful: Dartmouth Hitchcock, Quest, LabCorp
 - Massive expansion and increased emphasis on testing
 - Expect identified numbers to rise in relation to this
- National Guard helping in many areas
 - 50 National Guard working as contact tracers at the Grappone Center
 - Guard working at test sites around the state
 - Distribution of safe coverings and masks at the DMVs to businesses
 - Also helping with unemployment registration and 211 call centers
- Governor's "Stay at Home 2.0" plan looking toward re-opening
 - Governor's Office for Emergency Relief and Recovery (GOFERR) Task Force
 - Discussing how to spend Federal funds
 - Discussing details of how to reopen. Division of Public Health Services is involved (DPHS Deputy Director, Tricia Tilley, is lead).
 - Hair salons are ambivalent

- Hospital starting to open for procedures
- Dentistry
 - No recommendations put out yet
 - Working on guidance for reopening
 - Need access to PPE
- Note made of local resistance to some activities; eg, Tamworth, which has had little disease was concerned about having people coming to local test site.
- How will increased numbers due to more testing impact opening?
 - Aggressively working on contacts to flatten the curve.
 - Four things to be certain of for businesses to open
 - Screening people before entering business
 - Face coverings for employees
 - Social distancing
 - Enhanced cleaning and disinfection.

Therapeutic Cannabis Program Update, Michael Holt

See attached slides for content.

Discussion/comments

- Questions/comment
 - A COVID positive patient's caregiver was not permitted to pick up cannabis by a dispensary due to concern of exposure.
 - Would a delivery service be helpful in this context?
 - Would a home grow option be helpful?
 - Noted: A bill has passed the Senate and expected to pass the house that would make home grow available.
- 14 TCP related bills and 2 department bills
 - All on hold due to legislature being out.
- Comment
 - Re- 20% increase in cannabis sales. Explanation in presentation included patient concerns re: loss of access/stocking up, people seeking fewer trips out.
 - It was noted that some additional use may be use for purposes other than that for which initially certified, eg transition to self-medication of COVID related anxiety, sleep disturbance, or management of boredom (recreational use) by patient or others.
- Comment. Many thanks to TCP for great work to make Cannabis available during COVID. Noted that ATCs have praised the Department

Legislative Update, Jerry Knirk

- Legislature is not meeting but legislators are working hard.
- Meetings to prioritize bills in order to get the most important ones acted on.

- Given all the requirements for committee meetings, public hearings, etc., it will be difficult to impossible to move forward on all bills.
- SB 700 Autism Spectrum Disorder
 - Senator Sherman (Senate HHS Chair) agreed to propose an amendment to add developmental pediatricians as a potential certifying provider type for those under 21. This amendment was in addition to the recommendation made by the MOB. The Board agreed with this addition
 - It was suggested that pediatric neurologists also be added as a certifying provider type for this condition for this population.
 - Others who work closely with children with ASD?
 - Noted there are non-physician specialists, APRNs and PAs who are eligible to certify for cannabis.
 - Motion: Recommend adding ASD as a qualifying medical condition for people under 21 years of age with the requirement for a consultation with a certified provider of child and/or adolescent psychology, developmental pediatrics, or pediatric neurology.
 - Motion: Savage; second Morse and Brack. Vote: 11-0.
- HB 366 therapeutic cannabis for OUD.
 - Passed house, in the Senate but needed clarification that the required Data 2000 MAT provider is the patient's actual MAT provider. This has been specified.

2020 Workplan

- Education work plan has been a little delayed. Board was planning to review information for healthcare professionals by end of May.
 - Jerry reviewed some potential resources. Noted we want them to be user friendly. Consider different levels: eg basic intro versus higher level/in-depth.
 - Health Canada report 2015 is robust, 200+ pages, perhaps too much.
 - Institute of Medicine review is solid, though now older
 - DC Department of Health slide deck on potential complications.
 - Other resources
 - The Answer Page
 - <https://www.theanswerpage.com/course-catalog/>
 - Required by many states in order to certify patients for cannabis
 - Will tweak for different states
 - Discussion of costs to tweak and actual costs. Need to clarify, online costs ~\$279 for 2-4 hours. Others were told \$50.
 - Medical Cannabis Institute Clinical Cannabis curriculum for \$279. 13 sessions.
 - Healer.com also has diverse courses some with CME, some not
 - It was noted Minnesota lists 3 courses.
 - Noted that when offering proprietary products, minimum of three is standard to avoid appearance of conflict.
 - It was asked who determines whether education is required to certify patients

- Decided through legislation.
 - Summary of decision
 - Will have links to basics
 - Links to more advanced information
 - All listings will have short explanations.
 - Can grow resources over time.
- Reminders of tasks assigned at last meeting
 - Corey to send Minnesota guidelines and syllabus from Orlando conference.
 - Orlando syllabus available for a fee.
 - Seddon to send NHMS survey (done) and APS guideline and DH guidelines
 - Jerry send DC slide deck.
 - Molly to review and comment on FSMB document
 - Ginny and Dennis to gather educational materials around breast feeding.
 - Mike: to gather and share three ATCs' educational materials
 - Will get pamphlet from ATCs and share by pdf.
 - Something that we might want to create for handout to providers.

Other Discussion

- It was noted that the model of ATCs educating physicians seemed analogous to pharmaceutical detailing
 - It was noted that much dispensary education was about the program and how to certify patients, about basic science of cannabinoids, not about products per se.
 - Noted that was true of pharma detailing as well about prescribing regulations, best practices, and molecular actions.
 - Comment that such education could be appropriate, but that strict regulations govern education by pharma. Aren't dispensaries functioning as (a non-Federally regulated) Pharma?
 - Comment that people working in the cannabis industry know more about cannabis than most physicians.
 - Noted that was true for Pharma as well because they research and develop the products.
 - Comment that in absence of the healthcare community doing education, the dispensaries have filled that gap.
 - It was noted a multi-state national cannabis company level had pretty extensive physician outreach programs but found it impossible for outreach workers to see physicians or advanced level providers in offices during the work day, but they often offered
 - CME events in the evening and similar
 - It was noted that this seemed similar to other pharmaceutical outreach with CME evening events, often over dinner and often for free
 - It was agreed
 - That these issues required further discussion
 - That our goal is to work respectfully with dispensaries for the good of patients

- Liaison and communication and connections
 - May go to provider groups and to pain groups.
 - Providing information
 - We know what they are telling people.
 - Should be in more communication and define our roles.
- The Board meeting format was discussed
 - Agree that people liked the remote format. Less travel, more convenient, equally interactive.
 - Was the public invited? It was noted that the emergency orders have relaxed some 91-a requirements but the Board goal is to include the public, as permitted by technology
- Other Board work:
 - It was decided at the last meeting we should develop best practices for clinical practice. No timeline was established. But need to get back to that at some point.
 - It was noted that this meeting did not discuss patient education. Agreed important and will be an agenda item at an upcoming meeting.
- Final issues
 - Increasing requests for certification were because many people have been using the MA recreational dispensaries which are now closed (about four weeks ago).
 - Patients used MA recreational sources because of
 - Fewer barriers.
 - Less stigma (no need to interact with healthcare).
- Adjournment
 - Motion: Withrow; Second: Burchman. All agreed.

Adjourned at 7:35

Therapeutic Cannabis Program

Anniversary

2020 is the 4-year anniversary of the program being fully operational

- ▶ First dispensary in Plymouth opened on April 30, 2016
- ▶ Dispensaries in Dover (May 5), Lebanon (May 15), and Merrimack (August 11) followed

Milestone

10,000 registered patients as of this week (week of May 4th)

COVID-19 Impact on Program Participation

- ▶ Patient applications dipped at the end of March; increased to just below average at end of April
- ▶ Caregiver applications increased slightly
- ▶ ATC cannabis sales increased 20% in March



Therapeutic Cannabis Program – Concerns

COVID-19 Related Concerns

▶ Patients

- Receiving Registry ID Cards (initial and renewal applicants)
- Getting medical appointments, especially for recertification
- Continued access to Alternative Treatment Centers (ATCs)

▶ Alternative Treatment Centers

- Essential businesses?
- Staying open
- Strict enforcement of regulations vs. need for social distancing



Therapeutic Cannabis Program – Response Approach

Communication

- Immediate, ongoing discussions with ATCs
- Weekly updates posted to program webpage
- Mailings of updated information to patients

Collaboration

- Worked with ATCs to identify regulations to be relaxed, and establish alternative procedures
- Increased provider guidance on telehealth options, and regulatory priorities

Flexibility

- Which regulations are not critical for health and safety?
- Which policies are more administrative, or for agency convenience, than patient-centric?



Therapeutic Cannabis Program – Innovations

Patients

- ▶ Extend Registry ID Cards
- ▶ Cards due to expire in April, May, and June 2020, extended until July 31, 2020

Caregivers

- ▶ Encourage patients to designate a caregiver
- ▶ Waive caregiver application fee
- ▶ Defer FBI criminal background check (fingerprinting) – Governor action

Providers

- ▶ Allow telehealth – Governor action



Therapeutic Cannabis Program – Innovations

Alternative Treatment Centers

- ▶ Allow “curbside” pick-up
 - Drive-through service
 - Window service
- ▶ Encourage innovation
 - Phone and on-line ordering
 - Fast-track review and approval of new/alternative policies and procedures
- ▶ Invite proposals for alternative services
 - Home delivery of cannabis (not implemented at this time)



Therapeutic Cannabis Program – What’s Next?

What’s on hold?

- ▶ On-site ATC compliance inspections
 - Shift to desk-review compliance activities
- ▶ Therapeutic Cannabis Medical Oversight Board
 - April meeting cancelled
 - May meeting will be remote
- ▶ Legislation
 - 14 TCP-related bills, including 2 Department-requested

