

Testimony on HB 3460
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My name is Geoff Sugerman and I represent Oregonians for Medical Rights. In 1998 OMR was founded to pass the original Oregon Medical Marijuana Act. Now 15 years since Oregon voters passed that law, this bill seeks to provide a safe, workable, regulated system where patients can go to get the medicine they need.

The original OMMA was designed to allow patients to grow their own medical marijuana or to designate a primary care giver to grow for them.

This bill seeks to address two specific issues that have arisen over the years.

The first issue is that many patients do not have a grower, do not want to grow themselves, and have difficulty finding safe, reliable and legal access for the medicine they need. That has led to the establishment of some 200 medical marijuana dispensaries operating in Oregon today without any licensure, regulation or oversight. In most jurisdictions, law enforcement is simply allowing them to operate, but there have been instances when these facilities have been shut down and patients relying on them have been left without safe access. This bill provides regulated and safe access to marijuana for patients who cannot grow their own or do not have someone who can grow it for them, as well as some consistency in how these facilities are dealt with at the local and state law enforcement level.

The second issue is a concern that marijuana being grown legally for patients is not finding its way into the hands of patients, but is instead being siphoned off into the black market.

HB 3460 addresses both of those issues.

Key components of HB 3460:

Authorizes the OHA/OMMP to license and regulate medical marijuana facilities:

Through a process very similar to that for patients and growers, the OMMP is authorized to license and regulate medical marijuana facilities. The bill contains the same provisions regarding past criminal conduct and provide OHA with broad rule-making authority and allows OHA to set a fee that would cover its cost of managing the program.

Places regulations on those MMFs including:

- Located only within commercial, industrial, and agricultural areas
- Not allowed within 1000 feet of a school
- Not allowed within 1000 feet of another medical marijuana facility
- Testing for pesticides, molds and mildews to protect patients.
- Meeting security requirements

Patients remain in control:

Under OMMA the patient is the “owner” of the medicine being produced for them. This bill requires the patient to authorize the transfer of marijuana from the registered grower to the MMF and from the MMF to other registered patients.

Requires Tracking of marijuana coming in and going out:

To ensure marijuana being sold in dispensaries comes from registered grow sites and is only being transferred to registered OMMP patients, the MMF is required to maintain records showing the amount of marijuana it receives and then transfers to patients.

Requires testing for pesticides, molds and mildews:

This critical provision deserves special mention. While the vast majority of marijuana being produced is safe, there have been instances where the marijuana contains pesticide residues or molds and mildews that can sicken patients. HB 3460 requires testing of every batch of marijuana brought into the facility to ensure it is safe for patients to consume. Today, some dispensaries are testing medicine already and some are not. For patient safety, we encourage the testing of all marijuana being provided to patients.

Summary:

HB 3460 is a moderate bill that addresses two specific problems under OMMA: providing a safe access for patients and helping to ensure marijuana grown for patients under the law ends up in the hands of patients who currently have no safe access. It provides a clear line for law enforcement and a regulated safe system that can be monitored, modified and improved as needed. Oregonians for Medical Rights urges passes of HB 3460.