



February 4, 2016

800 NE Oregon St
Portland OR 97232
Phone: 971-673-1339
FAX: 971-673-1278

TO: The Honorable Sen. Boquist, Chair
Senate Committee on Veterans and
Emergency Preparedness

FROM: André Ourso, Manager
Oregon Medical Marijuana Program
Public Health Division
Oregon Health Authority

SUBJECT: SB 1524-1

Chair Boquist and members of the committee; I am André Ourso, Manager of the Oregon Medical Marijuana Program, thank you for providing me with the opportunity to testify. I wanted to provide you with some brief information on SB 1524-1 and how it relates to the OMMP and Oregon Health Authority.

Under current OHA rules, OMMP offers a reduced fee of \$20 for veterans who receive compensation from the VA based upon 100% service-connected disability; or who receive a needs based pension from the VA (see OAR 333-008-0020(3)).

- In 2015, approximately 1% of registry cardholder applicants qualified under this reduced fee (n=798 out of 71,655).
- Among those veterans qualifying for this reduced fee 55% of them listed PTSD as qualifying condition (applicants may list more than one qualifying condition).
- Only 7% of all OMMP patients listed Post-traumatic Stress Disorder (PTSD) as a qualifying condition.

Beginning March 1, 2016, pursuant to HB 3400, veterans providing proof of service in the US Armed Forces and a diagnosis of PTSD will qualify for a reduced fee of \$20, regardless of 100% service connected disability or a needs based petition (ORS 475.415(10)).

In addition, beginning March 1, 2016, under OHA's proposed permanent rules for registry cardholders, veterans receiving service-connected compensation from the

VA based upon a finding of 100% disability on the basis of individual unemployability will qualify for the \$20 reduced fee.

OMMP anticipates it will see an increase in the percentage of OMMP patients that are veterans and qualify for these new reduced fees.

- It is unknown whether these new fee reductions will increase the overall number of veterans that apply for an OMMP registry card.

Anecdotally, OMMP is aware of the difficulty to OMMP patients who are also veterans to afford to see a physician who is willing to recommend medical marijuana and sign the required Attending Physician (APS) form. Generally, veterans wanting to renew their OMMP cardholder registration cannot get a recommendation from a VA physician because of the status of marijuana as a Schedule I drug under federal law and the association of the physician as an employee/contractor of a federal agency. This leads veterans who want to apply for or renew their OMMP registration to seek an annual assessment and physician recommendation using out of pocket expenses.

Overall, OMMP can implement the process being proposed in Section 1 of this bill.

- OMMP would still need initial proof of 100% disability and an assessment and diagnosis of a qualifying condition.
- OMMP would like the language of the bill to clarify whether a veteran applicant would need to provide the program with proof of a “discharge or release under other than dishonorable conditions.” OMMP does not currently request this information for applicants wanting the reduced veteran fee. In addition, the language around discharge status is not found in the current Medical Marijuana Act or the OHA rules.

Additionally, OMMP would like to note that the program and OHA are working with the Legislature and our partners in the medical field to develop clinical guidelines for the recommendation of the medical use of marijuana.

- HB 4014-1 contains a provision for OHA to convene a work group to develop recommendations to physicians who diagnose individuals with qualifying conditions and recommend the medical use of marijuana.
- OHA is also reaching out to the Medical Board to collaborate on this issue.

Mr. Chair, members of the committee, I thank you for the opportunity to testify. I would be happy to answer questions about this bill on the potential impact to patients, OMMP and OHA.