

March 7, 2017

**TO:** The Honorable Senator Ginny Burdick, Co-Chair  
The Honorable Representative Ann Lininger, Co-Chair  
Joint Committee on Marijuana Regulation

**FROM:** André Ourso, JD, MPH  
Section Manager Medical Marijuana Program  
Public Health Division  
Oregon Health Authority

**Subject:** SB 863-1, Prohibits marijuana retailers and medical marijuana dispensaries from retaining identification information of consumers and registry cardholders for more than 48 hours with the exception to retain a registry card number and first four letters of a first name

Co-Chairs Burdick and Lininger, members of the committee, I am André Ourso, Section Manager of the Medical Marijuana Program with the Public Health Division of the Oregon Health Authority. I am here to present information regarding the medical marijuana program as it relates to SB 863. This bill would affect OHA's regulation and oversight of reporting related to dispensary transfers and could potentially affect 67 thousand medical marijuana registry patients and 115 medical marijuana dispensaries, in addition to licensed retailers that sell tax exempt marijuana and marijuana products to registry cardholders.

While the Authority remains neutral on this bill and welcomes the amended changes, I would like to inform you of some of the potential effects the amended bill would have on the medical marijuana program. As amended retailers and dispensaries "may" retain the number of a registry identification cardholder and the first four letters of the first name of the cardholder for more than 48 hours. Allowing the retailer or dispensary to retain this information or destroy it after 48 hours would still affect OMMP's ability to ensure compliance with state law related to lawful transfers to cardholders and other authorized persons. In addition to OMMP not being able to meet the reporting and tracking requirements under ORS 475B.450 and 485B.453, the destruction of this information would severely complicate OMMP's ability to investigate complaints of potential violations or to conduct routine inspections into lawful sales. In order to address these

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issues, OHA requests that retailers and dispensaries be required to retain the de-identified cardholder number for a reasonable period of time. It is also suggested that in addition to retaining the number of the registry identification card that the retailer or dispensary retain a temporary registration number or the patient application receipt number if no registry identification card has been issued yet to the cardholder.

Thank you for the opportunity to testify today. I am happy to answer any questions.