

April 25, 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: HB 2198, Provisions creating Medical Use of Cannabis Board

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 would like to provide some information regarding the potential impact of HB 2198 on the Oregon Health Authority and the Oregon Medical Marijuana Program.

While the Oregon Health Authority remains neutral on this bill, I would like to inform you of some of the potential concerns the Oregon Health Authority has with specific provisions of this bill, particularly the provisions that create a Medical Use of Cannabis Board, within the Oregon Health Authority, for the purposes of administering the Oregon Medical Marijuana Act. The establishment of a Cannabis Board within the Oregon Health Authority, with all the necessary power to administer and enforce the Medical Marijuana Act, will likely create questions and issues about the division of authority between the Oregon Health Authority and the Board regarding overall Oregon Health Authority policies, staffing, and general decision making related to internal processes. The bill does not create an executive director position to administer the functions of the board and does not direct the Oregon Health Authority to provide staff support to administer the duties and functions of the Board. The bill allows the Board to delegate to the Oregon Health Authority all its duties, functions and powers, with the exception of rulemaking, however the bill does not consider the consequences if the Board does not delegate these duties and functions or if the Board only partially delegates duties and functions. Of additional concern is the composition of appointed members to the Board. The membership does not include a public health professional. This omission may lead to a lack of a public health perspective among the Board, which may lead to the Board implementing policies without consideration to public health and counter to the Oregon Health Authority's mission.

Thank you for the opportunity to provide testimony. I am happy to answer any questions.