



Medical Cannabis in Huntsville



Why medical cannabis is beneficial

- In short, use of medical cannabis products has been shown, in multiple scientific studies, to provide positive health care results to people with certain serious maladies; especially individuals with chronic and terminal illnesses.
- Notably for Huntsville, benefits have often been observed among those suffering from cancer, elderly citizens near the end of life, individuals with Autism, and veterans with Post Traumatic Stress Disorder (PTSD).
 - We do not lack for citizens in those categories.



Background on Alabama's Medical Cannabis Law

- The Alabama Legislature passed the Darren Wesley 'Ato' Hall Compassion Act in 2021. It created a medical cannabis system for our state.
- The legislation passed both chambers with bipartisan support. More than 50% of the legislators in each political party voted in favor of the bill.
- Alabama is the 37th state to allow use of cannabis for medicinal purposes.



Alabama's Seed-to-Sale Medical Cannabis System

- The Alabama Medical Cannabis Commission (AMCC) was created by the 2021 state law. The AMCC oversees writes and oversees the rules and regulations necessary for implementation of the state law.
 - The AMCC is led by former State Treasurer and Commissioner of Agriculture John McMillan.
- Per the state law, all medical cannabis sold in Alabama must be, grown, processed, transported and put up for sale without leaving the state.
- The AMCC purchased software in July that will assist the Commission employees in tracking medical cannabis products from seed to sale.



Alabama's Seed-to-Sale Medical Cannabis System

- The AMCC will issue five types of licenses.
 - A *cultivator license*, of which there will be 12 issued.
 - A *processor license*, of which there will be 4 issued.
 - A *secure transporter license*, which can issued as needed.
 - A *dispensary license*, of which there will be 4 issued.
 - An *integrated license*, of which there will be 5 issued.
 - Businesses that receive an integrated license will have the legal authorization to perform the tasks regulated by all 4 other licenses: cultivation, processing, transporting, and dispensing.
- Businesses are currently underway in the process of requesting and completing their applications for a license.



Dispensing Sites

- What would commonly be called a “dispensary” is, by the terms established in the state law, called a “dispensing site.” That distinction in vocabulary is reflected in this presentation.
- There will be 37 medical cannabis dispensing sites around the state.
 - The 5 companies that receive an integrated license will be able to establish 5 dispensing sites each.
 - The 4 companies that receive a dispensary license will be able establish up 3 dispensing sites each.
- A license holder can only open 1 dispensing site per county.
 - This creates, in theory, a maximum of nine dispensing sites in any single county. Geographic proximity to license holders and regulatory decisions by local governments will likely prevent that many from being in any one county.



Where does Huntsville come in?

- As part of the state law, local governments have been put in the position of deciding whether or not to allow medical cannabis dispensing sites within their corporate limits.
- The text of the law reads: *“A dispensing site may not operate in the unincorporated area of a county or in a municipality that has not adopted a resolution or ordinance authorizing the operation of dispensing sites.”*
 - We clarified with the commission that counties can enact resolutions, but cities must pass ordinances.



Where does Huntsville come in?

- The ordinance on the agenda for introduction this evening would allow dispensing sites in Huntsville
- A zoning ordinance introduced Wednesday morning would regulate where any medical cannabis business could operate in Huntsville.
- The effective date on the dispensing site ordinance is not until December 23. That is the date our zoning ordinance would go into effect if it clears the requisite hurdles.



Key Dispensing Site Regulations

- Dispensing sites must “consist of **a stand-alone building or occupy dedicated exclusive space within a multi-use structure**, strip mall or other such retail facility, except that a dispensing site may not occupy space within the same multi-use structure, strip mall or other such retail facility as a certifying physician or another licensee.”
- “The location of any dispensing site **must be at least 1000 feet from any school, day care, or childcare facility.**”
- Dispensary’s facilities **shall maintain an audio/video surveillance system that shall be in continuous operation 24 hours per day.** Cameras shall be fixed in place covering both the interior and exterior of the Dispensary’s facility, in such quantity, with such lighting, and at such resolution as shall allow for the clear identification of individuals and activities in all reasonably accessible areas of the premises.”
- The **dispensary must provide, at a minimum, one (1) security guard per facility during the facility’s business/operating hours.**



Key Dispensing Site Regulations

- Dispensing sites must conduct all transactions “**only under the supervision of a certified dispenser.**”
 - “a certified dispenser is a managing employee of a dispensary who has undergone training and certification as required by the Commission to oversee the dispensing of medical cannabis to a registered qualified patient or registered caregiver at a dispensing site.”
 - “A certified dispenser must have, at a minimum, two years of education or experience in the fields of biology, biochemistry, chemistry, physiology, pharmacology, medicine, medical cannabis, nursing, pharmaceuticals, or a similar field.”



Key Dispensing Site Regulations

- **Members of the public**, other than patients and caregivers holding a valid, unexpired, unrevoked medical cannabis card, **are not allowed inside a dispensing site.**
- Dispensing sites are **legally prevented performing the following actions:**
 - Advertise medical cannabis brand names or use graphics related to cannabis or paraphernalia on the exterior of the physical structure or vehicle.
 - Display medical cannabis products or paraphernalia so as to be clearly visible from the exterior of the physical structure or vehicle.
 - **Deliver medical cannabis to anyone**, including a registered qualified patient or registered caregiver.



How Alabama's Medical Cannabis System Will Work for Patients

- An individual age 19 or older is suffering from one of sixteen conditions.
- That individual goes to see a doctor that has been licensed by the state to recommend medical cannabis products.
 - To be eligible to recommend medical cannabis to patients, doctors will be required to take a 4-hour training course and pay a registration fee to the state.
- The individual takes the recommendation from the doctor to the Alabama Medical Cannabis Commission and applies for a medical cannabis card.
- Once approved by the Commission, the individual will receive the card for which they applied. It will allow them to purchase medical cannabis products for 12 months.
 - The products come in 7 forms. The type of product the patient should purchase, and the dosage, comes from consultation with the doctor and dispensing site staff.



Conditions for which cannabis may be recommended as a treatment

1. Autism Spectrum Disorder (ASD).
2. Cancer-related cachexia, nausea or vomiting, weight loss, or chronic pain.
3. Crohn's Disease.
4. Depression.
5. Epilepsy or a condition causing seizures.
6. HIV/AIDS-related nausea or weight loss.
7. Panic disorder.
8. Parkinson's disease.
9. Persistent nausea that is not significantly responsive to traditional treatment, except for nausea related to pregnancy, cannabis-induced cyclical vomiting syndrome, or cannabinoid hyperemesis syndrome.
10. Post Traumatic Stress Disorder (PTSD).
11. Sickle Cell Anemia.
12. Spasticity associated with a motor neuron disease, including Amyotrophic Lateral Sclerosis.
13. Spasticity associated with Multiple Sclerosis or a spinal cord injury.
14. A terminal illness.
15. Tourette's Syndrome.
16. A condition causing chronic or intractable pain in which conventional therapeutic intervention and opiate therapy is contraindicated or has proved ineffective.



Forms in which medical cannabis will be made available for sale

1. Oral tablet, capsule, or tincture.
2. Non-sugarcoated gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape.
 - By law, all the gelatinous medical cannabis products for sale in Alabama must be peach flavored.
3. Gel, oil, cream, or other topical preparation.
4. Suppository.
5. Transdermal patch.
6. Nebulizer.
7. Liquid or oil for administration using an inhaler.



Forms of medical cannabis which will be *banned*

1. Raw plant material.
2. Any product administered by smoking, combustion, or vaping.
3. A food product (edible) that has medical cannabis baked, mixed, or otherwise infused into the product, such as cookies or candies.



Questions?

