

AMERICANS FOR SAFE ACCESS

# 2021 STATE OF THE STATES REPORT

AN ANALYSIS OF  
MEDICAL CANNABIS  
ACCESS IN THE  
UNITED STATES



We would like to thank the following businesses  
for helping us in the distribution of this report.



Dear Reader,

Americans for Safe Access' (ASA) State of the States report has been used by patient advocates and policymakers since 2014 as a tool to assess and improve state medical cannabis programs resulting in dozens of new laws annually. The report provides policymakers and regulators with concrete actions to be taken in their state to better serve patient populations presented in a report card format. This year, as was similar to last year, we continue to see a decline in states improving laws and regulations that help or protect patient access to medical cannabis, which still leaves millions with no hope for access. This reality underscores the need for a renewed commitment to patients that includes not only improved state laws but also comprehensive federal legislation.

For over two decades, ASA has been promoting medical cannabis access laws based on the needs of patients, creating the cannabis "industry" we see today. Before ASA stood up for access, the national debate around medical cannabis was focused solely on the legality and ethics of arresting and prosecuting patients for cannabis use. ASA brought the patient's voice to the table and shifted the debate to the real concerns of patients: safe access and patients' civil rights.

This year, 2022, marks 25 years of implementing medical cannabis laws in the US and ASA's 20th anniversary. Unfortunately, medical cannabis remains illegal federally, keeping these treatments out of reach for millions of Americans. The issue and the businesses that serve patients have hit a developmental plateau, stopping short of becoming medicine by locking into a perpetual state of "Compassionate Use." Many politicians, much of the public, and even cannabis advocacy groups viewed the issue of safe access to cannabis as a legal issue only. To that end, many feel the fight is over and the war for the most part has been won.

The state-by-state "Compassionate Use" model leaves out those patients living in states reluctant to pass medical cannabis laws, federal employees and contractors, and veterans utilizing VA medical services. In states with medical cannabis laws, this model does not address many medical or logistical needs for patients, only serving a privileged class of Americans. On the logistics side, there are deserts of access points, traveling state to state is challenging if not impossible, many private companies still drug test for cannabis, and the cost of paying for a medication is prohibitive for many. On the medical side, many doctors are still hesitant to recommend cannabis, health insurance doesn't cover cannabis, few cannabis products are standardized or consistently available, and little to no research is being done to back efficacy claims.

Most media coverage of cannabis focuses on the business side, conveying a message of success and paraphrasing the impact of federal prohibition to banking hurdles and changes in tax codes. In state houses, this results in limiting access and, in many states, scaling back medical cannabis programs to bring more profits through taxation in adult use programs.

Although one of the goals of this report is to highlight the many differences between states, the main purpose of this report is to show how states can improve programs to allow more access for patients. Advocates across the country should use this report to show their legislators what is needed most in their states to improve their medical cannabis programs. In the eight years we have been creating this report, we take great pride in knowing that these recommendations are frequently adopted by regulators and policymakers throughout the country to improve their state programs.

While we must continue to work to improve state medical cannabis programs, it is our sincere hope and mission to secure the adoption of a comprehensive national cannabis policy. Only then will patients be able to rely on a system of safe and legal access that protects their employment, housing and parental rights in the same manner as patients utilizing treatment options in the traditional health care system. For a look at our recommendations on how to End the Federal Conflict, through an Office of Medical Cannabis federal oversight, read our [Model Federal Legislation report](#).

We hope that you take the information in this report and use it to bring greater access to patients, not just in your state, but across the country.

With gratitude,

A handwritten signature in black ink, appearing to read 'Steph Sherer'.

Steph Sherer  
President and Founder  
Americans for Safe Access

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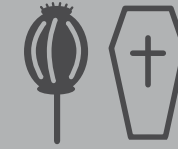
## MEDICAL CANNABIS BY THE NUMBERS

0  
Deaths Caused by Cannabis



↓ 25%

Average Drop in Opioid-Related  
Deaths in States with Medical  
Cannabis Laws



~7008

Number of Licensed Medical  
Cannabis Retailers in the U.S.



48

States with Medical  
Cannabis Laws



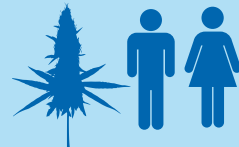
\$500 MIL.+

Federal Tax Dollars Spent on Federal  
Interference in Medical Cannabis  
States Before Blumenauer-Joyce CJS  
Amendment



5.1 MIL.+

Medical Cannabis Patients  
in the U.S.



30,000+

Studies Published on the  
Endocannabinoid System



\$165 MIL.

Federal Prescription Drug  
Cost Savings in Medical Cannabis  
States in 2013



13

Number of states with more  
than 100,000 patients



9,000+

Clinical Trial Data Using Cannabis  
for Pain in Patient Years



100+

Qualifying Medical Conditions in  
Medical Cannabis Programs



100+

Known Cannabinoids



67,367

Deaths Caused by Prescription  
Drugs in 2018



126+ MIL.

Number of Americans suffering  
from chronic pain



93%

Americans Supporting  
Medical Cannabis



INTRODUCTION

Americans for Safe Access (ASA) is the largest national organization of patients, medical cannabis providers, medical professionals, scientists and concerned citizens promoting safe and legal access to cannabis for therapeutic use and research in all 50 states.

Since 2002, ASA has engaged state and federal governments, courts, and regulators to improve the development and implementation of state medical cannabis laws and regulations. Over the past 20 years we have learned that passing a medical cannabis law is only the first step in providing safe access to patients, and not all programs are designed to reflect patients' best interests. The most important markers of a well-designed state program is that all patients who would benefit from medical cannabis have safe and legal access to their medicine without fear of losing any of the civil rights and protections afforded to them as residents of that state.

In 2014, we released our first report reviewing state laws with a goal of highlighting the issues that were still affecting patient access in each state and territory as well as making recommendations for improvements, so that legislators and regulators could make necessary adjustments to their programs. Each year this report evolves as we improve our methodology through stakeholder input. In the eight years since our first report, we have taken great pride in seeing our recommendations adopted in states throughout the country which have improved programs with greater outcomes for patients.

In the earlier versions of our annual report, states earned many points just for having a program. This year's report places more emphasis on patient rights, consumer protections and product safety. The grading system for 2021 creates a model state infrastructure in which medical cannabis patients are given the same rights and protections that they receive under the traditional health care system.

Although the main goal of this report is to create improvements in state medical cannabis programs, it also highlights the need for federal involvement and coordination. For example, some barriers for patient access cannot be remedied by state legislation or regulations. Issues such as drug testing of employees in the workplace and lack of doctor education, insurance coverage,

and standardized products are all issues that require a change in federal policy.

ADULT USE LAWS

The State of the States report is intended to evaluate medical cannabis laws and patient protections and, therefore, does not consider recreational adult-use laws in the grading. The recreational adult-use laws are intended for a separate population, and should remain separate from medical cannabis laws. Both systems can co-exist in a state, but medical cannabis laws should be specifically designed with patient needs and protections in mind.

However, recreational adult-use laws are only considered in this report as a penalty when a state places priority on the recreational system over the medical cannabis system. This is not designed to punish states that have recreational adult-use laws — and in fact, very few states actually received this penalty — but, it exists to remind legislators and regulators that recreational adult-use laws and medical cannabis laws are not the same, and that medical cannabis laws, regulations, and protections should not be abandoned in light of additional recreational use laws.

A LOOK AT WHERE WE ARE AND WHERE WE WANT TO BE

Currently, thirty-six states, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, and Puerto Rico have adopted laws that allow at least some legal access to medical cannabis for authorized patients. An additional 13 states allow for the limited use of cannabidiol (CBD) products that contain no, or very little, tetrahydrocannabinol (THC).

**While we can acknowledge that we have come a long way since the first medical cannabis law passed in 1996, we must also recognize that none of the state laws adopted thus far can be considered ideal from a patient's standpoint.** As of publication, there are no states that include the entire range of protections and rights that should be afforded to patients under the law, with some lagging far behind others. Because of the differences and deficiencies in legislation and regulations in the states, patients argue that the laws do not function

equitably and are often poorly designed, poorly implemented, or both. Even well-organized programs can fail to deliver safe or legal access in states with laws that allow local governments to ban medical cannabis businesses from operating, leaving thousands of patients without the access state laws were intended to create. In March 2020, ASA launched our [No Patient Left Behind](#) campaign to address these issues and create solutions for change. ASA strongly believes that state and federal laws must be changed to expand medical cannabis access to the greatest extent possible and ensure that patients are prioritized in terms of medical product access, quality, safety, and affordability.

INTRODUCING NEW GRADING STANDARDS

ASA introduced a new grading rubric for the state scorecards to better reflect how medical cannabis laws operate from a patient's perspective. More emphasis was placed on critical patient rights, consumer protections and product safety, while less weight was given simply for having a law. The new grading system was also designed with an eye to the future - one where cannabis patients are afforded the same rights and protections that they receive under the traditional health care system. For example, states were scored on whether they provide state insurance, health aid coverage, or provide access to minors on school grounds.

New Grading Categories Added in 2021

In addition to the new grading standards introduced in this report, we have also added three new grading categories: Affordability, Health & Social Equity, and Penalties.

**Affordability:** Given the rise in recreational adult-use cannabis laws across the country, it is more important than ever to ensure that both the administrative process and the medical cannabis products themselves are affordable for patients. Adult-use laws, regulations, and taxes should not be imposed on patients, and it should not become more expensive or onerous to buy medical cannabis products than recreational products.

**Health & Social Equity:** For patients, the use of cannabis should be a medical right afforded to citizens regardless of their geography in a state or their age, criminal background, or income level. States must prioritize policies and program improvements that aim to fix inequalities, including protections for renters, access in underserved communities, and protected status under state entitlement programs.

**Penalties:** While a majority of the scorecard focuses on areas in which states can help patients, there are some state policies in place that are either outdated or actively harm patient access. Therefore, we decided this year to penalize the states that are actively standing in the way of safe and legal patient access.

INTRODUCING NEW GRADING SCALE

With the inclusion of our updated grading standards, ASA has created a new grading scale that more accurately assesses how each state is providing for patients. In previous reports, states were awarded 60% of their grade for simply having a program. The new grading system now requires that states include patient rights, consumer protections and product safety standards in order to achieve a high grade.

The new grading scale is based on a model state infrastructure that allows medical cannabis patients the same rights and protections allowed under a traditional health care system. With the new grading system, letter grades roughly correlate to the following:

- A 100% - 90%
- B 89% - 70%
- C 69% - 50%
- D 49% - 30%
- F 29% or lower

**A:** The state program is comprehensive and provides substantial patient rights and protections. The state may require few adjustments, but for the most part, patients are exceptionally protected, and access is not a problem.

**B:** The state has a good medical cannabis program, but requires a few major adjustments to ensure that patients are protected.



**C:** The state has a fair medical cannabis program that provides at least some access and protections for cannabis patients, but requires substantial improvement in one or more areas.

**D:** The state typically has a medical cannabis law on paper, but there are critical and substantial deficiencies in access and/or patient rights that must be addressed immediately.

**F:** The state either has a non-existent or critically flawed medical cannabis program. Policymakers in these states should prioritize legalizing medical cannabis and ensure that no patient is left behind.

CONDITION LIST

The conditions, diagnoses, and symptoms that patients must present to receive a medical cannabis recommendation can vary dramatically by state. The chart below illustrates the distribution of medical cannabis recommendations by patient condition. This list is limited to the most frequently recommended conditions and is not inclusive of every condition for which a medical professional might recommend cannabis as a course of treatment. As is clearly evident in this data, chronic pain is the primary condition being treated by medical cannabis, hence our focus on the role of cannabis in alleviating the opioid epidemic.

ASA compiles and compares states which employ fixed lists of conditions for which medical cannabis can be recommended. However, ASA recommends that state lawmakers and regulators defer to the expertise of health professionals to determine the medical efficacy of cannabis to treat symptoms of specific conditions, instead of opting for a fixed list of conditions that exclude some patients from legal access who would otherwise benefit from medical cannabis treatment.

**The full chart of condition lists compared across states is available at [safeaccessnow.org/condition](https://www.safeaccessnow.org/condition).** This page will be updated to reflect conditions as they are added to state regulations.

The grade for each state’s medical cannabis program is based on how well it meets the needs of patients in six categories, plus a seventh category to deduct points based on issues that can harm patients. Each category is described in detail in the pages that follow.

Each state was scored based on how well their current law and regulations accommodate patient needs, as broken down into seven general categories:

- 1. Patient Rights and Civil Protection
- 2. Accessibility
- 3. Program Functionality
- 4. Affordability
- 5. Health and Social Equity
- 6. Consumer Protection and Product Safety
- 7. Penalties

ASA developed these criteria based on a series of over 100 public meetings across the U.S. and surveys sent to our 150,000 supporters. With laws and regulations changing daily, this document is a snapshot of ever-changing programs. The criteria we selected reflect the current realities of state medical cannabis laws. Definitions for each item can be found below. States that partially met the definition for certain criteria, either directly or indirectly, were eligible for partial points when appropriate.

**The full rubric is available at [safeaccessnow.org/rubric](https://www.safeaccessnow.org/rubric).**

State	Chronic Pain	Cancer	Glaucoma	HIV/AIDS	Heart Disease	Hepatitis C	Intermittent Cough	Muscle Spasms	Nausea	Parkinson's Disease	Seizures	Sleep Apnea	Terminal Illness	Other
Alabama														
Alaska														
Arizona														
Arkansas														
California														
Colorado														
Connecticut														
Delaware														
Florida														
Georgia														
Hawaii														
Idaho														
Illinois														
Indiana														
Iowa														
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Missouri														
Montana														
Nebraska														
Nevada														
New Hampshire														
New Jersey														
New Mexico														
New York														
North Carolina														
North Dakota														
Ohio														
Oklahoma														
Oregon														
Pennsylvania														
Rhode Island														
South Carolina														
South Dakota														
Tennessee														
Texas														
Utah														
Vermont														
Virginia														
Washington														
West Virginia														
Wisconsin														
Wyoming														



Visit [www.safeaccessnow.org/nopatientleftbehind](https://www.safeaccessnow.org/nopatientleftbehind) to take action so that No Patient is Left Behind.

# MEDICAL CANNABIS TIMELINE

**TOTAL STATES: 8**

Alaska, California, Colorado, Hawaii, Maine, Nevada, Oregon, and Washington

**TOTAL STATES: 13**

Michigan, Montana, New Mexico, Rhode Island, and Vermont

**TOTAL STATES: 20 PLUS DC**

Arizona, Delaware, District of Columbia, New Jersey, Connecticut, Massachusetts, New Hampshire, and Illinois

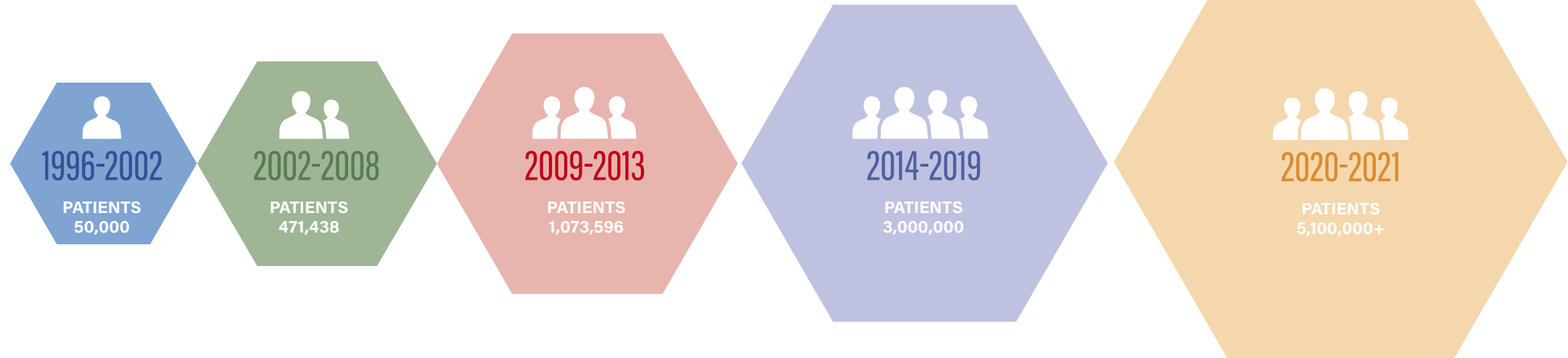
**TOTAL STATES: 47 PLUS DC, CNMI, GUAM, PUERTO RICO, AND USVI**

Arkansas, CNMI, Florida, Guam, Louisiana, Maryland, Minnesota, New York, North Dakota, Ohio, Pennsylvania, Puerto Rico, USVI, and West Virginia

CBD-only laws: Alabama, Georgia, Indiana, Iowa, Kansas, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, Wisconsin, and Wyoming

**TOTAL STATES: 48 PLUS DC, CNMI, GUAM, PUERTO RICO, AND USVI**

South Dakota



**FEDERAL RAIDS: 14**

**1996** - DOJ threatens licenses of any doctor recommending cannabis following passage of first medical cannabis law.

**1996-2002** - DOJ and DEA carry out paramilitary raids.

**1998** - The Institute of Medicine (IOM) issues "Marijuana & Medicine: Accessing the Science Base" calling on the federal government to do formal studies on cannabis.

**1998** - Congress blocks DC law.

**FEDERAL RAIDS: 241**

**2002** - Federal court rules in *Conant v. Walters* that government cannot revoke physicians' licenses for recommending medical cannabis.

**2007** - DEA administrative law judge recommends allowing new source of cannabis for research.

**FEDERAL RAIDS: 262**

**2009** - US Attorney General announces that DOJ will not prioritize prosecution of legal medical cannabis patients.

**2011** - DOJ threatens elected officials in 11 states implementing cultivation and distribution programs.

**2012** - AHP issues Cannabis Monograph and AHPA issues recommendations for regulators.

**2013** - DOJ issues a guidance memo to prosecutors concerning marijuana enforcement under the Controlled Substance Act (CSA).

**FEDERAL RAIDS: 2**

**2014 & 2015** - Rohrabacher-Farr CJS amendment passes and prohibits the Department of Justice from spending money to prevent states from implementing medical cannabis programs.

**2015** - The CARERS Act, the first medical cannabis bill in US Senate history, is introduced.

**2015** - Court upholds the Rohrabacher-Farr amendment in *U.S. vs Marin Alliance for Medical Marijuana*.

**2016** - Court extends Rohrabacher-Farr protections to individuals in *U.S. vs McIntosh*.

**2016** - DEA announces it will not move cannabis out of its Schedule I status.

**2018** - Cole memo rescinded.

**2018** - Farm bill changes hemp law, creates windfall of limited CBD-only programs.

**FEDERAL RAIDS: 0**

**2020** - States classify medical cannabis businesses as an essential service during COVID-19 pandemic

**2020** - Congress passes provision to allow cannabis researchers access to market products

**2020** - The UN removes cannabis from its strictest international schedule and deems cannabis as medicine



1996-2002



2002-2008



2009-2013



2014-2019



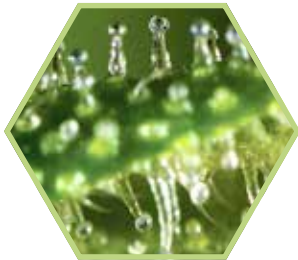
2020-2021

## MAP KEY

**Bold:** Full medical cannabis program  
**Stripes:** CBD only  
**White:** No legal access



THE MEDICAL USE OF CANNABIS



TRICHOMES

Resin-filled glands that contain the majority of the cannabinoids and terpenoids in a cannabis plant.

Inflorescence Cannabis (flower)

CBD

BENEFIT

Non-psychoactive, anti-depressant, anti-inflammatory, anti-convulsant, anti-nausea, anti-anxiety, analgesic, sedative, sleep aid, and muscle relaxant

THC

BENEFIT

Psychoactive, analgesic, anti-inflammatory, anti-microbial, and muscle relaxant

CBC

BENEFIT

Anti-inflammatory, analgesic, anti-anxiety, and antidepressant

CBG

BENEFIT

Muscle relaxant, anti-eurythmic, analgesic, digestive aid

CBN

BENEFIT

Effective against MRSA, sedative, topical analgesic for burns, and may stimulate bone growth

THCA

BENEFIT

Anti-inflammatory, immunomodulatory, neuroprotective and anti-cancer

DELIVERY METHODS

PATIENTS USE MANY METHODS TO TAKE CANNABIS. THE METHOD USED CAN DEPEND ON PERSONAL CHOICE, THE MEDICAL CONDITION BEING TREATED, THE AGE OF THE PATIENT, THE PATIENT'S TOLERANCE FOR THE METHODS, ETC.

INHALATION

Types of products: whole plant, oils, waxes, and concentrates  
Expected onset: 0-10 minutes  
Duration: 1-4 hours



INGESTION

Product types: edible products, beverages, teas, capsules  
Expected onset: 30 to 90 minutes  
Duration: Up to 8 hours



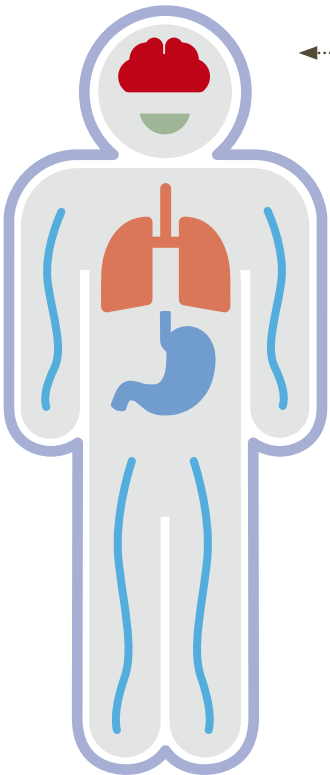
TOPICAL

Product types: lotions, salves, oils  
Expected onset: a few minutes  
Duration: 1-4 hours



BUCCAL

Product types: alcohol-based tinctures, lozenges  
Expected onset: 0-60 minutes  
Duration: 1-8 hours



ECS: EAT, SLEEP, RELAX, FORGET, AND PROTECT

The endocannabinoid system is the body's mechanism for preserving homeostasis (keeping all body functions running smoothly). This system is composed of a sophisticated group of neuromodulators, their receptors, and signaling pathways involved in regulating a variety of physiological processes, including movement, mood, memory, appetite, and pain.

The endocannabinoid system is probably the most ubiquitous system in the human body, with the cannabinoid receptors CB1 and CB2 located throughout the brain and the periphery of the body.

CANNABINOID & TERPENOID



LEMON

LIMONENE

Potent immunostimulant via inhalation, anxiolytic, apoptosis of breast cancer cells and acne bacteria  
SYNERGISTIC CANNABINOIDS: CBD, CBG, THC



PINE

α-PINENE

Anti-inflammatory, bronchodilatory, acetylcholinesterase inhibitor (aiding memory)  
SYNERGISTIC CANNABINOIDS: CBD, THC



HOPS

β-MYRCENE

Blocks inflammation, analgesic, sedative, muscle relaxant, hypnotic, blocks hepatic carcinogenesis by aflatoxin  
SYNERGISTIC CANNABINOIDS: CBD, CBG, THC



LAVENDER

LINALOOL

Anti-anxiety, local anesthetic, analgesic, anticonvulsant/anti-glutamate  
SYNERGISTIC CANNABINOIDS: CBD, THC, THCV, CBDV



PEPPER

β-CARYOPHYLLENE

Gastric cytoprotective, anti-malarial, selective CB2 agonist, anti-inflammatory  
SYNERGISTIC CANNABINOIDS: THC



ORANGE

NEROLIDOL

Sedative  
SYNERGISTIC CANNABINOIDS: THC, CBN



GREEN TEA

PHYTOL

GABA via SSADH inhibition  
SYNERGISTIC CANNABINOIDS: CBG



YEARLY DEATHS 2019



OPIOIDS

49,860

Over half from prescribed opioids



PRESCRIPTION DRUGS

70,630

(Source: CDC 2021)



CANNABIS

0

POTENTIAL SIDE EFFECTS

Sedation, dizziness, nausea, vomiting, constipation, physical dependence, tolerance, respiratory depression, and death



POTENTIAL SIDE EFFECTS

Liver failure, loss of language, cognitive decline, respiratory depression, rage, suicide, paranoia, and death



POTENTIAL SIDE EFFECTS

Dry mouth, dizziness, increased appetite, dry eyes, sedation, euphoria, disorientation, and short-term memory impairment





# STATE MEDICAL CANNABIS PROGRAM REGULATIONS AND OVERSIGHT

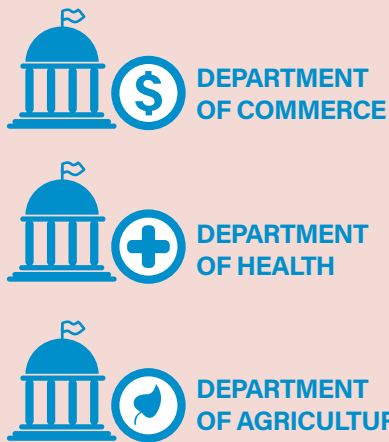
## REGULATIONS

MORE THAN 310 MILLION AMERICANS LIVE IN STATES WITH MEDICAL CANNABIS LAWS. THESE PROGRAMS ARE INFLUENCED BY LOCAL, STATE, AND FEDERAL REGULATIONS. AFTER A LAW IS ENACTED, STATE AGENCIES CREATE A SERIES OF REGULATIONS THAT GOVERN EVERYONE PARTICIPATING IN THE PROGRAM AND ALL PRODUCTS PRODUCED.



### MEDICAL CANNABIS REGULATORY AGENCY

State agencies or groups of several agencies (such as the Departments of Health, Agriculture, Consumer Affairs, etc.) are tasked with creating and monitoring regulations through all phases of the production line, issuing licenses for businesses, and coordinating patient enrollment. These agencies also conduct inspections or work with third-party accreditors to ensure compliance, monitor adverse event reporting, and implement product recalls if necessary.

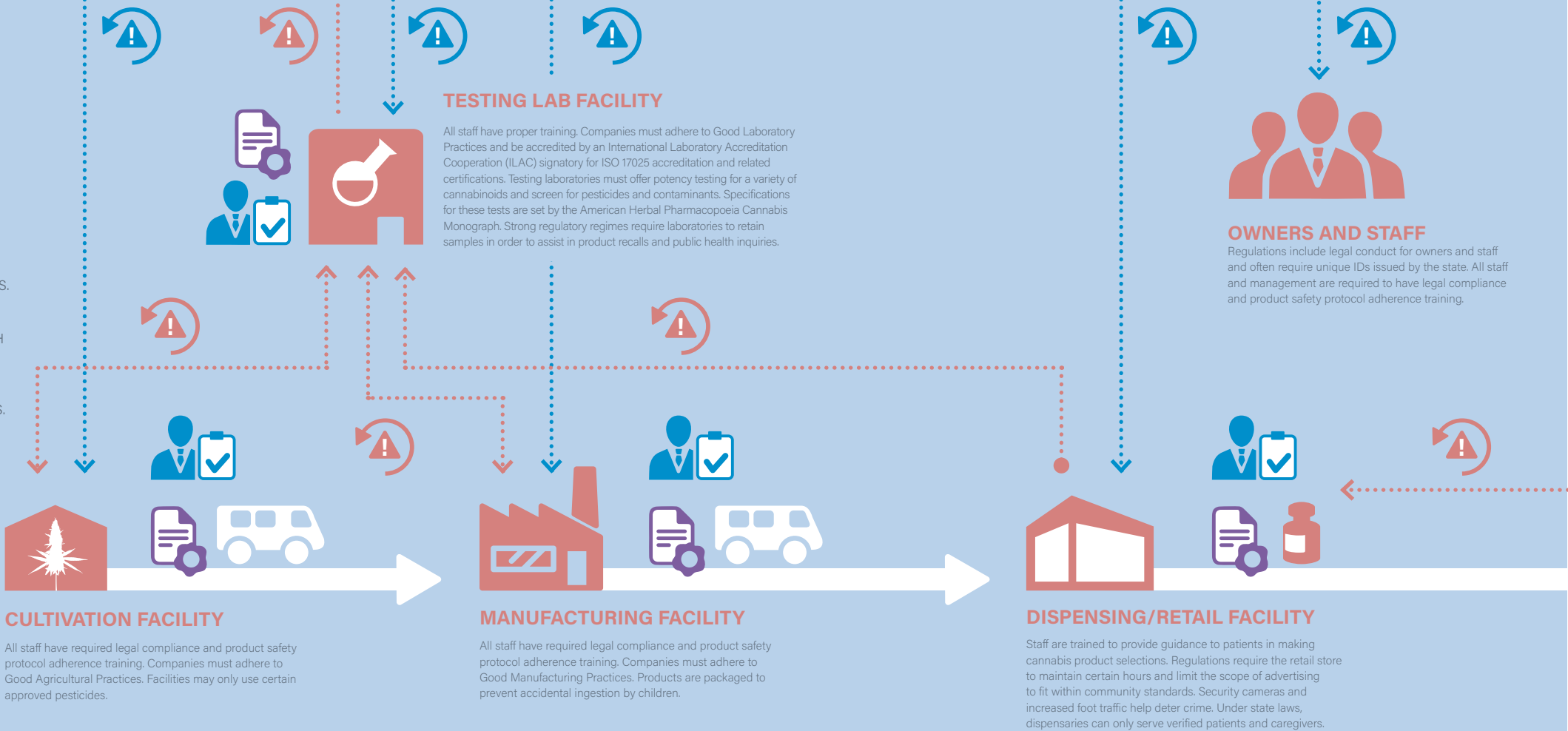


### INSPECTIONS

Medical cannabis businesses must pass inspections to maintain licenses to operate. These inspections may be conducted by the state medical cannabis regulatory agency, accredited third-party agencies, law enforcement, OSHA, municipal safety inspectors, etc.

## SUPPLY CHAIN

REGULATIONS BEGIN AT THE APPLICATION STAGE, WHERE CRITERIA ARE SET FOR WHO CAN OWN, OPERATE, AND WORK IN MEDICAL CANNABIS BUSINESSES, AND END WITH PURCHASING CRITERIA AT THE RETAIL POINT. FROM SEED TO CONSUMPTION, REGULATIONS INCLUDE TRACK AND TRACE FUNCTIONS, SECURITY REQUIREMENTS, PRODUCT SAFETY PROTOCOLS, STAFF TRAINING, AND ADVERSE EVENT REPORTING AND RECALL PROCEDURES. MEDICAL CANNABIS BUSINESSES ARE SUBJECT TO INSPECTIONS. REGULATORS NOW HAVE RESOURCES, SUCH AS THE AMERICAN HERBAL PHARMACOPOEIA CANNABIS MONOGRAPH AND THE AMERICAN HERBAL PRODUCTS ASSOCIATION RECOMMENDATIONS FOR REGULATORS, TO INFORM THE CREATION OF ROBUST PRODUCT SAFETY PROTOCOLS. ALL COMPANIES MUST DEMONSTRATE ABILITY TO TRACK ADVERSE EVENTS AND INITIATE A RECALL.



### CULTIVATION FACILITY

All staff have required legal compliance and product safety protocol adherence training. Companies must adhere to Good Agricultural Practices. Facilities may only use certain approved pesticides.

### TESTING LAB FACILITY

All staff have proper training. Companies must adhere to Good Laboratory Practices and be accredited by an International Laboratory Accreditation Cooperation (ILAC) signatory for ISO 17025 accreditation and related certifications. Testing laboratories must offer potency testing for a variety of cannabinoids and screen for pesticides and contaminants. Specifications for these tests are set by the American Herbal Pharmacopoeia Cannabis Monograph. Strong regulatory regimes require laboratories to retain samples in order to assist in product recalls and public health inquiries.

### MANUFACTURING FACILITY

All staff have required legal compliance and product safety protocol adherence training. Companies must adhere to Good Manufacturing Practices. Products are packaged to prevent accidental ingestion by children.

### DISPENSING/RETAIL FACILITY

Staff are trained to provide guidance to patients in making cannabis product selections. Regulations require the retail store to maintain certain hours and limit the scope of advertising to fit within community standards. Security cameras and increased foot traffic help deter crime. Under state laws, dispensaries can only serve verified patients and caregivers.

### OWNERS AND STAFF

Regulations include legal conduct for owners and staff and often require unique IDs issued by the state. All staff and management are required to have legal compliance and product safety protocol adherence training.

### MEDICAL PROFESSIONALS

Regulators create guidelines for medical professionals to enroll their patients into the program, including forms and number of visits required. Some require medical professionals to take specific training courses and have built-in audits.

### PATIENTS AND THEIR CAREGIVERS

Regulators create enrollment and renewal procedures for patients that usually include the issuance of an ID. Rules for patients also govern how much medicine a patient can possess, places where patients can legally use their medicine, and the transportation of cannabis.

## QUALIFICATION

ONCE THE AUTHORIZING STATUTE HAS BEEN ADOPTED, REGULATORS SET THE REQUIREMENTS FOR PATIENT AND MEDICAL PROVIDER PARTICIPATION IN THE MEDICAL CANNABIS PROGRAMS, CREATE RELEVANT GUIDELINES AND FORMS, AND SET RULES REGARDING TRANSPORTATION AND USE.



### PRODUCT SAFETY

Each batch of raw plant material and cannabis-derived product must be quality assurance tested in order to ensure the integrity, purity, and proper labeling of medical cannabis products.



### TRANSPORTATION

Regulations extend to transportation of cannabis products throughout the supply chain. Regulations require drivers to be registered with the state and require paperwork at pickup and drop-off locations, including weighing the product. Regulations also include special instructions for dealing with waste.



### RECALL

When a product containing contaminants, molds, or mildew – or an improperly labeled product – enters the supply chain, regulatory agencies trigger a product recall to prevent patient consumption. This includes alerting the manufacturers, retail outlets, and the public. Recalled products are destroyed.

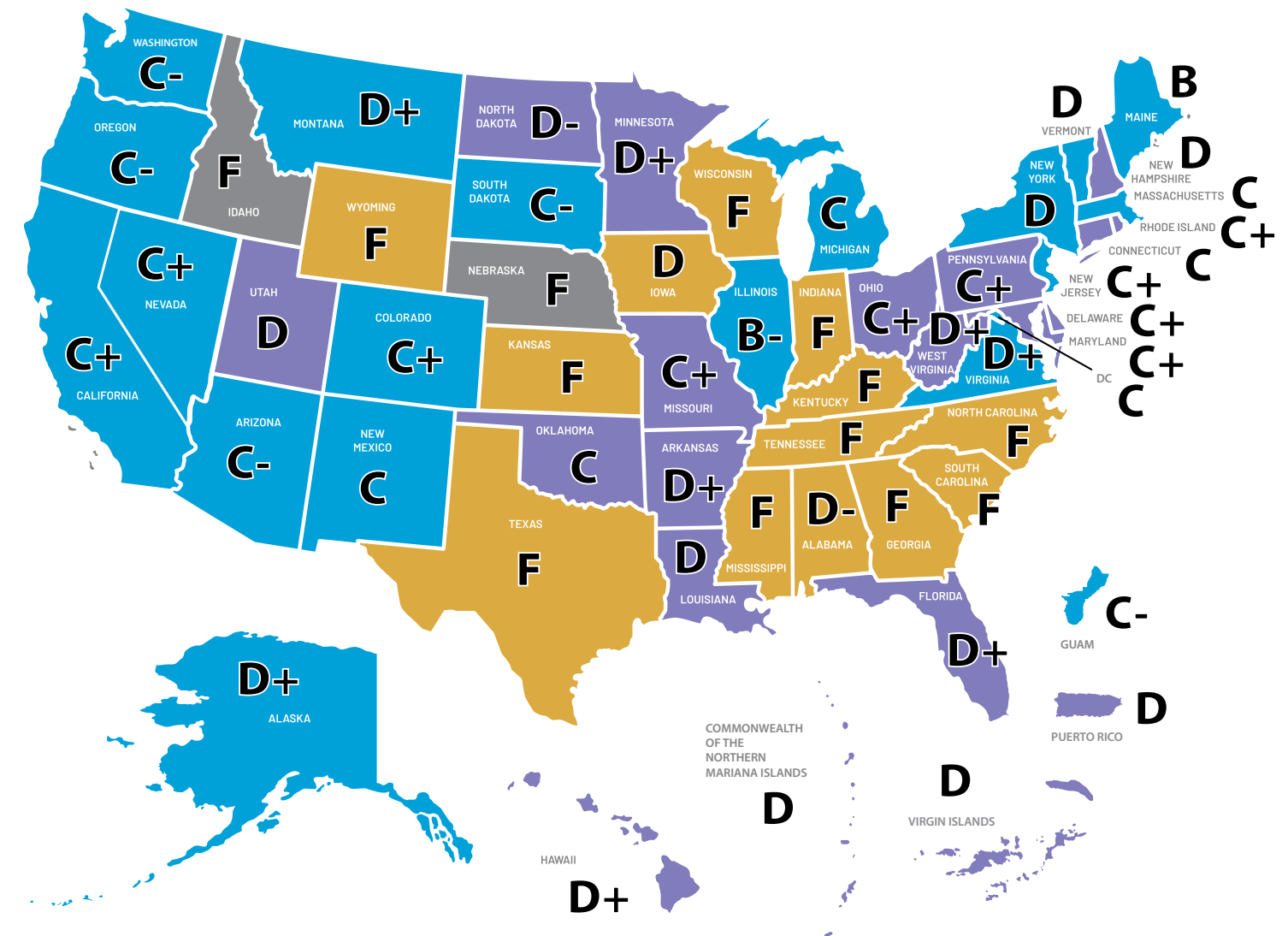
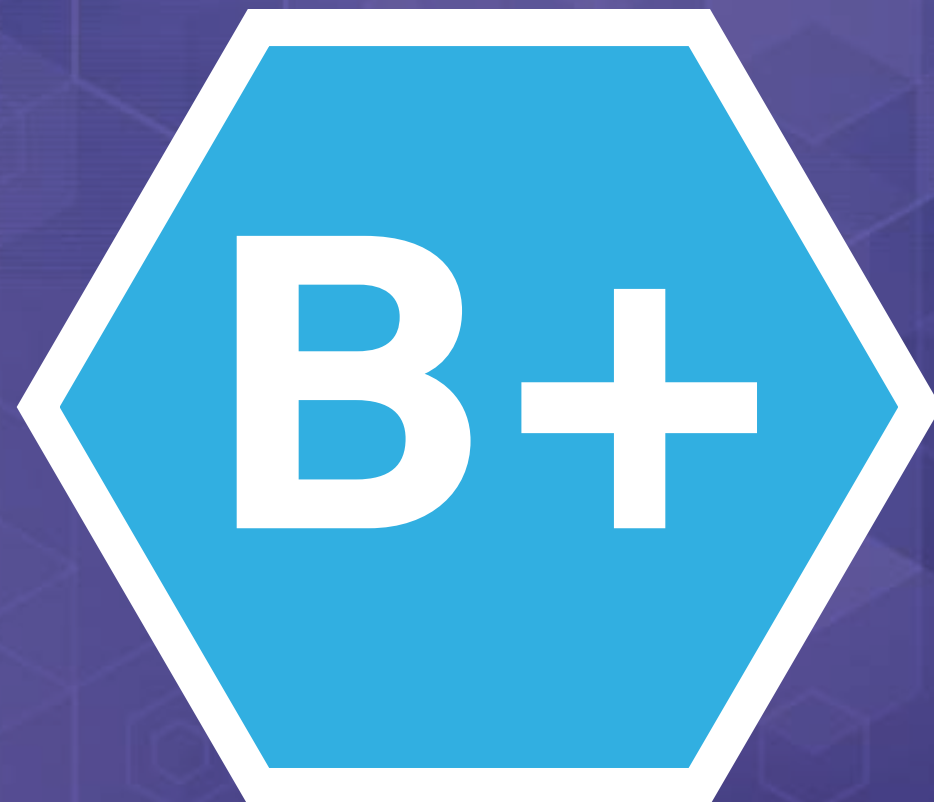


### MEDICAL CANNABIS PRODUCTS

Products are labeled in accordance with state guidelines to display cannabinoid profile and other useful information, including the expiration date if the item is perishable.

AmericansForSafeAccess.org

# State Report Cards



## MAP KEY

<b>Blue</b>	Medical and adult use program
<b>Purple</b>	Full medical cannabis program
<b>Yellow</b>	CBD-specific program [includes low-THC]
<b>Gray</b>	No medical or adult use program

## KEY FOR STATE GRADES

<b>A+</b>	96-100
<b>A</b>	93-95
<b>A-</b>	90-92
<b>B+</b>	83-89
<b>B</b>	77-82
<b>B-</b>	70-76
<b>C+</b>	63-69
<b>C</b>	57-62
<b>C-</b>	50-56
<b>D+</b>	43-49
<b>D</b>	37-42
<b>D-</b>	30-36
<b>F</b>	Below 30%

ALABAMA

2020-21 Improvements and Recommendations

In May of 2021, after a lengthy filibuster by prohibitionists, Governor Kay Ivy signed SB 46 into law authorizing the creation of the state’s medical cannabis program. Once the program is up and running, medical cannabis can be used by individuals to treat 18 conditions including intractable pain, anxiety, and depression. The legislation has no specific deadline set for this program to be functional for patents, though it requires that the commission responsible for the regulation of medical cannabis from July 2021 and outlines the requirement of annual reports on their progress each January. Residents of Alabama probably won’t begin receiving medical cards for at least a few years. When the program does eventually open its doors, patients will have limited selections when it comes to medicine, as all forms of raw cannabis including smoking, vaping, and many forms of edibles will remain prohibited; only capsules, lozenges, oils, topical patches, and suppositories will be available.

ASA recommends that legislators expand access to cover all forms of cannabis as soon as they can; it will only have positive health outcomes in the state.



BASE CATEGORIES POINTS:	254
PENALTIES:	-16
POINT TOTAL:	238/700
SCORE PERCENTAGE:	34%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	29/100	PROGRAM FUNCTIONALITY	60/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	13/20	Reasonable Possession Limits	10/10
Parental Rights Protections	16/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	0/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	0/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	2/100		
Authorizes Retail Access	1/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	1/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	19/100	NEW! HEALTH AND SOCIAL EQUITY	15/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	14/20	Access for Minors	8/10
Financial Hardship Waivers or Discounts	5/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	7/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	129/200
Cultivation Operations	27/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	1/2
Environmental Impact Regulations	0/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	4/7
Manufacturing Operations	27/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	7/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
Dispensary Operations	41/50
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	10/13

ISSUE	POINTS
Laboratory Operations	34/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
NEW! SCORE PENALTIES	16/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	1/5
Imposes Bans or Limits on CBD	5/5

**Patient Feedback**  
Patients surveyed in Alabama reported disappointment that there has been no noticeable change in cannabis access since the passage of SB 46. Many, including state regulators, are expecting to wait some time before cannabis is widely accessible.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



ALASKA

2020-21 Improvements and Recommendations

Alaska's regulators made their emergency COVID measures, including home delivery and curbside pickup, permanent in March of 2021. In the legislature, Alaska's neglect for their medical cannabis program and patients have contributed to a continued decline in patient interest. In their fifth summer of adult use retail, participation in Alaska's medical cannabis program has continued to wane, now reaching fewer than 400 participants.

When looking at the state of medical cannabis in Alaska, one must weigh the costs to enter the program against the benefits. Patients are not provided with any additional protections for areas where patients commonly face discrimination such as housing, parental rights, organ transplants, employment, and DUI charges. The state must work to provide these anti-discrimination protections. Otherwise, it is clear that patient participation will continue to shrink.



BASE CATEGORIES POINTS:	378
PENALTIES:	-30
POINT TOTAL:	348/700
SCORE PERCENTAGE:	49.71%

393	0.05%	93	4 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<div></div> <b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b> 47/100		<div></div> <b>PROGRAM FUNCTIONALITY</b> 59/100	
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	14/20
Affirmative Defense.....	17/20	Reasonable Possession Limits.....	10/10
Parental Rights Protections.....	0/20	Reasonable Purchase Limits.....	7/10
Employment Protections.....	0/20	Telemedicine for Physician Certification.....	9/15
DUI Protections.....	0/10	Patient and Physician Representation in Program Decision Making ..	0/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	4/5
		- Background Checks.....	1/2
		- Number of Caregivers.....	3/3
		Reasonable Physician Standards.....	5/5
		Access to Administration Methods.....	10/10
		- Allows Dried Flower.....	5/5
		- Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	0/5
<div></div> <b>ACCESS TO MEDICINE</b> 65/100		<div></div> <b>NEW! HEALTH AND SOCIAL EQUITY</b> 34/100	
Authorizes Retail Access.....	10/10	State Program Protections.....	5/25
Alternative Accessibility Methods.....	20/20	Housing Protections.....	0/25
- Authorizes Delivery.....	10/10	Access for Minors.....	9/10
- Authorizes Curbside Pickup.....	10/10	Access in Underserved Areas.....	4/10
Personal Cultivation.....	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive.....	9/10
Collective Gardening.....	0/5	Allows Patients to Medicate Where They Choose.....	7/10
Sufficient Number of Licensed Retailers.....	20/30	Organ Transplants.....	0/5
Reciprocity.....	0/20	Ownership or Employment Restrictions.....	0/5
<div></div> <b>NEW! AFFORDABILITY</b> 44/100			
Sales Tax Break for Patients and Caregivers.....	12/20		
Covered by State Insurance or Health Aid.....	0/20		
Reasonable Registration Fees.....	20/20		
Financial Hardship Waivers or Discounts.....	12/20		
Donation Program.....	0/10		
Allows Multi-year Registrations.....	0/10		

ISSUE	POINTS
<div></div> <b>CONSUMER PROTECTION AND PRODUCT SAFETY</b> 129/200	
<b>Cultivation Operations</b> 20/50	
Quality Management Systems.....	0/10
Staff Training.....	10/10
Standard Operating Procedures.....	5/8
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	0/1
- Storage.....	0/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Water Management.....	0/1
- Records Management.....	1/1
Pesticide Usage Limitations.....	0/2
Environmental Impact Regulations.....	0/2
Required Testing.....	3/8
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	0/1
- Pesticides.....	0/1
- Heavy Metals.....	0/1
- Foreign Matter.....	1/1
- Moisture Content.....	0/1
Packaging and Labeling.....	2/3
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Pesticides.....	1/1
Complaints, Adverse Event Reporting and Recall Protocol.....	0/7

<b>Manufacturing Operations</b> 32/50	
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Environmental Impact Regulations.....	0/3
Required Testing.....	4/10
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	0/1
- Pesticides.....	0/1
- Heavy Metals.....	0/1
- Residual Solvents.....	1/1
- Homogeneity.....	1/1
- Foreign Matter.....	0/1
- Water Activity.....	0/1
Packaging and Product Labeling.....	1/5
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Ingredients.....	0/1
- Allergens.....	0/1
- Nutritional Content.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	0/5

<b>Dispensary Operations</b> 32/50	
Staff Training.....	20/20
Standard Operating Procedures.....	7/7
- Facility Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Product Testing.....	5/10
- Product Meets Requirements Before Sale.....	5/5
- COA Disclosure.....	0/5
Complaints, Adverse Event Reporting and Recall Protocol.....	0/13

ISSUE	POINTS
<b>Laboratory Operations</b> 45/50	
Independent or Third-Party.....	5/5
Laboratory Sampling.....	0/5
Method Validation.....	4/4
Quality Management Systems.....	5/5
Staff Training.....	20/20
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Equipment and Instrument Calibration.....	1/1
- Workplace Safety.....	1/1
- Sample Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Result Reporting.....	4/4

<div></div> <b>NEW! SCORE PENALTIES</b> 30/100	
Gives Regulatory Preference to Adult Use.....	20/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	10/15
Requires Vertical Integration.....	0/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	0/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

Patient Feedback

Survey patients in Alaska reported no significant lapse of access during the COVID pandemic. Some survey patients are frustrated with the lack of products actually made for medical cannabis patients and their being no other real advantages to being registered as a patient. With little attention from the state and a dwindling patient population, survey respondents say that the adult use stores have become access points for Alaska's patients.

Background

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Recommendations for Policy Makers and Regulators

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ARIZONA

2020-21 Improvements and Recommendations

In the November 2020 elections, Arizona voters chose to legalize cannabis for all adults over the age of 21 through a ballot initiative called The Smart and Safe Arizona Act. The initiative included a provision to expunge past cannabis conviction records for anyone convicted for a possession offense involving less than 2½ ounces of cannabis or for cultivating six or fewer plants at home. Smart and Safe also contains a provision allowing for 26 social equity licenses to be issued to those most harmed by the war on drugs in early 2022.

Just 80 days after voters in Arizona weighed in on the measure, retail cannabis officially became available to anyone over 21. The state accomplished this blazing fast turnaround by relying heavily on the existing infrastructure of the medical cannabis program. The plan called for a hefty \$39 million to be transferred out of the medical cannabis fund in order to establish regulatory operations for the adult use side. Medical cannabis dispensaries were authorized to apply for early applicant licensing which would grant them the ability to act as a co-located retailer for both medical and adult use consumers. The plan also falls into the trap of handing over too much regulatory control to localities which has been a massive issue in states like California and Massachusetts; however, it specifically exempts communities from restricting existing medical cannabis retailers or their ability to co-locate dispensaries.

Even as the adult use market opens its doors to the general public, Arizona continues to see a steady growth in patient enrollment as it became one of only five states with more than 300,000 patients registered in August. Enrollment dropped back below 300,000 in November as enrollments expired.

For 2022, ASA recommends that Arizona's legislature protects patients' stake in the existing market by creating a review board staffed by patients and physicians with independent regulatory control over medical cannabis operations in the state. Legislators should also allow telehealth practices for patient certification and renewals; many states made this popular measure permanent after temporarily allowing it as a pandemic safety measure. Finally, the state must take action to allow minors to medicate on school grounds, preferably with assistance from school staff such as a nurse.



BASE CATEGORIES POINTS:	411
PENALTIES:	-20
POINT TOTAL:	391/700
SCORE PERCENTAGE:	55.86%

276,370	3.80%	130	2,126 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	86/100	PROGRAM FUNCTIONALITY	50/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	16/20	Reasonable Purchase Limits	10/10
Employment Protections	10/20	Telemedicine for Physician Certification	0/15
DUI Protections	10/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	75/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	20/30		
Reciprocity	10/20		
NEW! AFFORDABILITY	55/100	NEW! HEALTH AND SOCIAL EQUITY	66/100
Sales Tax Break for Patients and Caregivers	10/20	State Program Protections	5/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	25/25
Reasonable Registration Fees	20/20	Access for Minors	8/10
Financial Hardship Waivers or Discounts	15/20	Access in Underserved Areas	7/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Allows Multi-year Registrations	10/10	Allows Patients to Medicate Where They Choose	5/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	2/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	79/200
Cultivation Operations	11/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	4/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	1/2
Environmental Impact Regulations	0/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	12/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	4/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	17/50
Staff Training	0/20
Standard Operating Procedures	7/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	10/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	39/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
NEW! SCORE PENALTIES	20/100
Gives Regulatory Preference to Adult Use	10/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	10/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Surveyed patients in Arizona have overall negative responses toward the rollout of adult use just 80 days after the 2020 election. All patients surveyed report access to products becoming more limited; as the state rolls out its adult use program over the top of the existing medical infrastructure, products for medical patients (high dosage edibles, lotions, suppositories, RSO) have become scarce while products for adult use consumers have become ubiquitous. While some surveyed patients say the change has given them the potential to access a wider variety of products, they also note that what they need has become more expensive or is frequently sold out. Patients also report having to wait in long lines with adult use shoppers, due to COVID capacity restrictions, this has also led to many patients being forced to wait outside in Arizona's summer heat.

Background

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Recommendations for Policy Makers and Regulators

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# ARKANSAS

## 2020-21 Improvements and Recommendations

Drawing from a \$1.3 million grant from the NIH, researchers at the University of Arkansas for Medical Sciences and the Arkansas Center for Health Improvement began a study on the overall health outcomes of medical cannabis use in the state. The study will examine product variety consumed by patients, motor vehicle accidents, opioid prescription rates, and the frequency of doctor’s visits, among other factors. Doctors in Arkansas will no longer be bound to a restricted conditions list; they will now be allowed to recommend medical cannabis for any patient they feel may benefit from it.

Arkansas patient enrollment has continued to grow at a steady pace adding just over 8,000 patients since our last report. Doctors in Arkansas will no longer be bound to a restricted conditions list; they will now be allowed to recommend medical cannabis for any patient they feel may benefit from it.

In 2022, ASA recommends legislators in Arkansas enact legislation that will protect the rights of minor cannabis patients to dose on school grounds, preferably with assistance from school staff like the nurse. The state should also look to expand retail access beyond the 38 dispensaries currently licensed as they are not likely to be enough to sufficiently meet patient demand and cover underserved areas. Arkansas officials should also consider allowing existing and future retailers to offer curbside pickup to patients as well as telemedicine for certifications and renewals. These measures were introduced across the country as measures to maintain safety during the COVID pandemic and measurably improved access. Many states chose to make these popular policies permanent; Arkansas should do the same. Finally, Arkansas lawmakers should consider allowing patients and caregivers to grow up to six plants at home.



BASE CATEGORIES POINTS:	336
PENALTIES:	-12
POINT TOTAL:	324/700
SCORE PERCENTAGE:	46.29%

79,444	2.63%	33	2,407 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	84/100	<b>PROGRAM FUNCTIONALITY</b>	51/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	8/10
Employment Protections	15/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	4/5	Reasonable Caregiver Standards	4/5
		- Background Checks	2/2
		- Number of Caregivers	2/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	43/100		
Authorizes Retail Access	8/10		
Alternative Accessibility Methods	10/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	15/30		
Reciprocity	10/20		
<b>NEW! AFFORDABILITY</b>	43/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	81/100
Sales Tax Break for Patients and Caregivers	10/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	25/25
Reasonable Registration Fees	20/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	13/20	Access in Underserved Areas	1/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	5/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	1/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	34/200
<b>Cultivation Operations</b>	7/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	4/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	9/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	1/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	12/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	6/50
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	1/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	12/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	2/15
Administrative or Supply Problems	10/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

### Patient Feedback

Surveyed patients in Arkansas are happy to see the program grow but overall feel there are still too few dispensaries across the state. Patients are so far disappointed with the quality of the products made by Arkansas’ producers and feel like they are paying top-shelf prices for bottom shelf products no matter who they buy from. Surveyed patients complained about trouble finding doctors willing to issue recommendations for medical cannabis and high fees when it comes to registering. One survey response noted that the inability to have a concealed carry permit and a medical cannabis registration will substantially impact patient registrations and cause many to continue finding their medicine through other means.

### Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

### Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



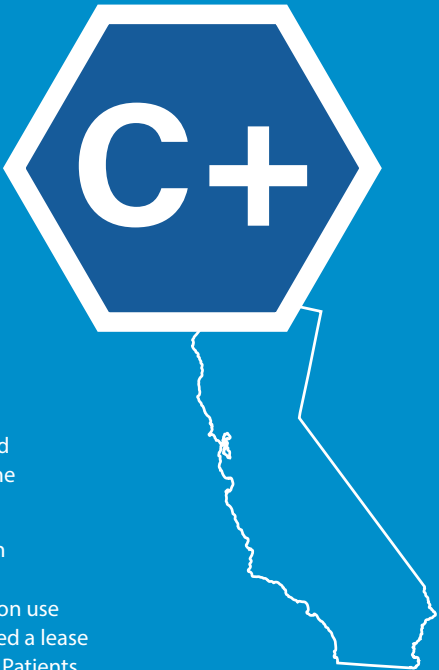
CALIFORNIA

2020-21 Improvements and Recommendations

In March 2021, California regulators announced a \$15 million grant program to expand economic justice opportunities for communities most impacted by decades of cannabis prohibition. In cooperation with the Governor’s Office of Economic and Business development, the Bureau will issue a series of low-zero interest grants to be awarded by selection from local jurisdictions. This grant is coming in on top of an existing \$40 million in cannabis equity funding; the stated goal of these grant campaigns has been to move capital into the hands of individuals who may not have access to it due to the intentional destruction of their families and livelihood brought by the War on Drugs.

The City of San Francisco chose to delay the imposition of their local tax ordinance on cannabis products set at between 1 and 5%. City officials were concerned about competition with the illicit market and felt the move could help them compete. Because cannabis is so heavily taxed in California, the cities’ decision to hold off on the taxes will only impact a small portion of the total taxes imposed by other rules, but it is a step in the right direction for Californians who want access to clean and safe cannabis affordably.

In 2022, ASA encourages California lawmakers to address the gaps in civil protections provided to patients in employment, DUI discrimination, and housing. Patients must be protected from facing discrimination in the workplace due solely to their status as a patient. This extends to barring employers from hiring/firing based on use and stopping employers from unfairly drug screening patients. As it stands, though patients cannot be denied a lease based on their status, individual leases can be written to keep patients from being allowed to dose at home. Patients must be able to take their medicine in the comfort of their own home without being able to worry about eviction. Additionally, the state must stop police officers from unfairly discriminating against patients with roadside sobriety tests. Based on their status as a patient, an individual should be exempt from any roadside test looking for impairment due to cannabis. Finally, lawmakers should identify strategies to overcome local resistance to extending legal medical access to patients because too many localities across the state have made access difficult for patients.



BASE CATEGORIES POINTS:	496
PENALTIES:	-10
POINT TOTAL:	486/700
SCORE PERCENTAGE:	69.43%

Est. 1,580,488	Est. 4%	650	1,944 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	70/100	<b>PROGRAM FUNCTIONALITY</b>	85/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	5/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	73/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	74/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	13/20	Housing Protections	20/25
- Authorizes Delivery	8/10	Access for Minors	10/10
- Authorizes Curbside Pickup	5/10	Access in Underserved Areas	5/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	25/30	Organ Transplants	3/5
Reciprocity	10/20	Ownership or Employment Restrictions	1/5
<b>NEW! AFFORDABILITY</b>	40/100		
Sales Tax Break for Patients and Caregivers	10/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	10/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	154/200
<b>Cultivation Operations</b>	34/50
Quality Management Systems	10/10
Staff Training	2/10
Standard Operating Procedures	3/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	2/2
Required Testing	7/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	7/7

<b>Manufacturing Operations</b>	48/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	3/3
Required Testing	9/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	5/5

<b>Dispensary Operations</b>	27/50
Staff Training	5/20
Standard Operating Procedures	4/7
- Facility Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	13/13

ISSUE	POINTS
<b>Laboratory Operations</b>	45/50
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4

<b>NEW! SCORE PENALTIES</b>	10/100
Gives Regulatory Preference to Adult Use	10/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in California gave the state's medical cannabis program mostly favorable reviews, but among them there were harsh critics. The majority of patients noticed no significant improvement to access in the past year. Those who saw improvements in the program cited more retailers, greater product diversity, the return of the compassionate donation laws, and expanded delivery access in part thanks to emergency COVID measures as the reasons. The minority of patients surveyed said that access had gotten worse due to rising prices being compounded by 15% excise taxes, fines being levied by some counties or localities on outdoor grows, and regulatory focus on adult use. Californians responding to our patient survey constantly complained about the high taxes on their products which were likely a factor in why the majority of Californians said that the cost of medicine was too high or entirely prohibitive. While some surveyed patients in California believe adult use has improved access thanks to more storefronts, the majority agree that the impact on patients has been negative.

Background

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Recommendations for Policy Makers and Regulators

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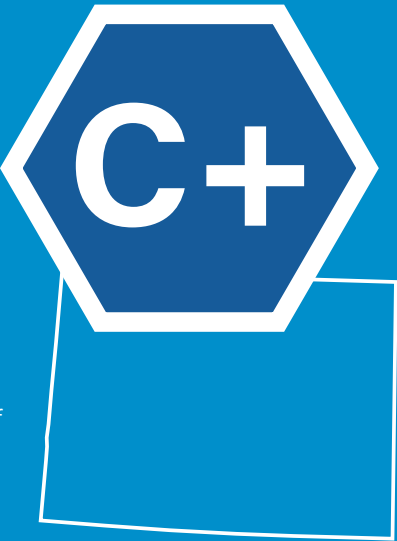
COLORADO

2020-21 Improvements and Recommendations

Colorado's legislators had a busy year when it came to modifying existing cannabis rules. Governor Polis signed four separate bills in 2021; the first bill, HB 1216 gives licensed operators the ability to redesignate products in their inventory from medical to adult use and vice-versa. This could severely impact product availability for patients as retailers look to make higher margins on adult use products. HB 1301 clarifies statutory definitions and rules surrounding outdoor cultivation and seeks to keep the state's industry competitive in a hypothetical national market by tasking state regulators to assess current rules and tax policy. SB 56 makes efforts to expand existing rules regarding access to cannabis at school for minors by allowing school staff like nurses or professional volunteers to administer doses on school grounds. This is an important step forward in providing a safe and fair public education for Colorado's citizens and will take a great burden off of the state's parents who have been responsible for dosing up to this point. Finally, HB 1317 is perhaps the single biggest rollback of patient rights by inflating their program related fees and forcing patients through multiple rounds of physician certification. During the certification, physicians will now be required to recommend maximum daily doses which the patient will be limited to at the point of sale. The bill will also limit cannabinoid content by adding potency restrictions to products and block patients under 21 from acquiring concentrates.

ASA is disturbed by the direction Colorado policymakers have chosen to take in amending cannabis laws. ASA recommends an emergency session be called to issue an immediate repeal of HB 1317 before it devastates the state's patient population and creates a crisis of access. If legislators and regulators are genuinely confused about what will work to improve the quality of life for patients, they should create an advisory council of physicians and patients that can help them understand the issues.

If state legislators want to continue improving conditions for patients in 2022, they should seek to address the gaps that exist in protecting patient civil rights. As it stands, based solely on their status as a patient, an individual in Colorado can still lose custody of their children and their job; they can also be discriminated against in the case of organ transplants and unfair roadside sobriety tests. Additionally, although patients cannot be denied housing based on their status, individual leases may prevent them from dosing in the comfort of their own home. Landlords should not be allowed to keep a patient from using their medicine safely in their own home.



BASE CATEGORIES POINTS:	480
PENALTIES:	-20
POINT TOTAL:	460/700
SCORE PERCENTAGE:	65.71%

87,196	1.51%	466	187 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	65/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	80/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	82/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	20/20	Housing Protections	20/25
- Authorizes Delivery	10/10	Access for Minors	10/10
- Authorizes Curbside Pickup	10/10	Access in Underserved Areas	10/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	5/10
Sufficient Number of Licensed Retailers	30/30	Organ Transplants	0/5
Reciprocity	5/20	Ownership or Employment Restrictions	2/5
<b>NEW! AFFORDABILITY</b>	60/100		
Sales Tax Break for Patients and Caregivers	20/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	143/200
<b>Cultivation Operations</b>	38/50
Quality Management Systems	10/10
Staff Training	4/10
Standard Operating Procedures	8/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	7/7
<b>Manufacturing Operations</b>	42/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	7/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	5/5
<b>Dispensary Operations</b>	25/50
Staff Training	5/20
Standard Operating Procedures	2/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	13/13

ISSUE	POINTS
<b>Laboratory Operations</b>	38/50
Independent or Third-Party	5/5
Laboratory Sampling	3/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in Colorado gave the medical cannabis program overall favorable ratings, with some negative outliers. Even though patients have an overall appreciation for their existing program, a significant majority felt that access had become more limited in the past year due to the passage of HB 1317 which will effectively end the medical cannabis program as it exists. Patients were unanimous in the opinion that adult use legalization had a negative impact believing that the profits from the adult use program made the state end it in favor of adult use. Many patients believe that cost has become more prohibitive because of product demand from adult use consumers.

Background

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Recommendations for Policy Makers and Regulators

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# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI)

## 2020-21 Improvements and Recommendations

Although new regulations were expected in 2021 dealing with the production of edible cannabis products, no such regulations occurred. CNMI began accepting patient and caregiver registries for home cultivation of medical cannabis, but has so far neglected to implement any substantial programs that would give patients robust access to medical cannabis products and retailers.

ASA recommends that lawmakers in the Northern Mariana Islands focus on protecting the civil rights of patients. As it stands, the territory does not protect a patient’s right to housing, employment, child custody, organ transplants, or against unfair discrimination in a roadside sobriety test based on their status as a patient.



BASE CATEGORIES POINTS:	291
PENALTIES:	-20
POINT TOTAL:	271/700
SCORE PERCENTAGE:	38.71%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	75/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	55/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	10/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	20/20		
<b>NEW! AFFORDABILITY</b>	40/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	45/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	26/200
<b>Cultivation Operations</b>	1/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	1/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	20/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	1/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	5/50
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
No feedback was received from patients in CNMI.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



CONNECTICUT

2020-21 Improvements and Recommendations

On July 1st, 2021, cannabis possession became legal for all adults over 21. The new laws include improvements and protections for the medical cannabis program as well: allowing at-home cultivation of up to six plants, increasing patient and caregiver possession limits to five ounces, allowing for medical cannabis delivery, giving the regulators the authority to add new qualifying conditions, and eliminating rules limiting patients to a single dispensary.

The new law also includes provisions which protect the existing infrastructure for patients. Though dispensaries can file for a change of location in their new co-location application, they are not allowed to move more than 10 miles and regulators can block a change of location application by a retailer to ensure that it remains where patients need it.

In 2022, ASA recommends Connecticut lawmakers consider changing some rules surrounding registration like allowing registrations longer than a single year and lowering registration fees of the medical cannabis program or allowing for certain individuals like Medicare recipients to apply for financial hardship waivers. The state also has a long way to go on its Consumer Protection and Product Safety section, missing critical aspects like required worker safety training for staff and falling dramatically short of acceptable independent laboratory standards.



BASE CATEGORIES POINTS:	418
PENALTIES:	0
POINT TOTAL:	418/700
SCORE PERCENTAGE:	59.71%

54,028	1.52%	18	3,001 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	80/100	<b>PROGRAM FUNCTIONALITY</b>	78/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	8/10
Parental Rights Protections	10/20	Reasonable Purchase Limits	6/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	10/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	4/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	60/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	15/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	25/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	85/100
Sales Tax Break for Patients and Caregivers	15/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	25/25
Reasonable Registration Fees	10/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	5/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	5/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	5/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	90/200
<b>Cultivation Operations</b>	20/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	5/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	4/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7

<b>Manufacturing Operations</b>	24/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	5/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	1/5

<b>Dispensary Operations</b>	34/50
Staff Training	20/20
Standard Operating Procedures	4/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	10/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	12/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	2/4

<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in Connecticut gave mixed reviews about the last year. While some felt access improved, most felt it got worse or there was no change. Those who felt things got better were happy about more variety in product availability and the new rules allowing for home cultivation. Those disappointed in the program included issues about rising prices that some patients perceived as 'fixed', and the fact that patients are still limited to choosing one retailer. All respondents reported there were still too few dispensaries. The most alarming feedback was that the state is limiting patients to 2.5 oz. of product every 30 days in anticipation of supply shortages with the impending opening of Connecticut's adult use market.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

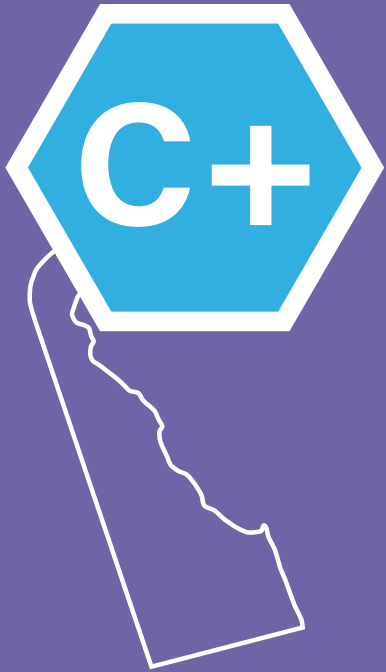
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

DELAWARE

2020-21 Improvements and Recommendations

State legislators failed in their efforts to pass an adult use legalization bill in this year’s legislative session. In September 2021, the Delaware Supreme Court made a decision involving the odor of cannabis as grounds to arrest an individual. The ruling was on a traffic case which began when police pulled over a vehicle because a passenger in the back was not wearing a seatbelt. When the police inspected the vehicle, they claimed to have identified the odor of cannabis and arrested the occupants of the vehicle who they believed were underage. Delaware police are allowed to arrest individuals who they have probable cause to believe have committed a misdemeanor but not for civil violations unless a warrant is issued. Since the officers assumed the occupants of the vehicle were underage, the odor of the cannabis became a probable cause to arrest the occupants for a misdemeanor. While a passenger was found after the arrest to be in possession of cannabis and cocaine, the court ruled that merely the odor of cannabis was not grounds for the officers to arrest the occupants of the vehicle because merely the smell of cannabis was not enough for the officers to determine the age of the passengers meaning the officers had no probable cause to assume there was a misdemeanor committed.

The case offered no definitive protections for patients but highlights the need for ASA’s recommendation that Delaware legislators pass a bill that would stop police officers from unfairly discriminating against patients with roadside sobriety tests. Lawmakers in the state should also consider allowing patients and caregivers to grow cannabis at home which would lighten the financial burden that retail cannabis puts on many patients.



BASE CATEGORIES POINTS:	472
PENALTIES:	-10
POINT TOTAL:	462/700
SCORE PERCENTAGE:	66%

16,497	1.69%	6	2,749 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	90/100	<b>PROGRAM FUNCTIONALITY</b>	95/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	15/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
<b>ACCESS TO MEDICINE</b>	45/100	Reasonable Physician Standards	5/5
Authorizes Retail Access	10/10	Access to Administration Methods	10/10
Alternative Accessibility Methods	20/20	- Allows Dried Flower	5/5
- Authorizes Delivery	10/10	- Allows Edibles, Concentrates, and Other Forms	5/5
- Authorizes Curbside Pickup	10/10	Provides Access to Minors on School Grounds	5/5
Personal Cultivation	0/15		
Collective Gardening	0/5	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	76/100
Sufficient Number of Licensed Retailers	15/30	State Program Protections	25/25
Reciprocity	0/20	Housing Protections	15/25
		Access for Minors	10/10
<b>NEW! AFFORDABILITY</b>	50/100	Access in Underserved Areas	5/10
Sales Tax Break for Patients and Caregivers	20/20	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Covered by State Insurance or Health Aid	0/20	Allows Patients to Medicate Where They Choose	5/10
Reasonable Registration Fees	20/20	Organ Transplants	5/5
Financial Hardship Waivers or Discounts	10/20	Ownership or Employment Restrictions	1/5
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	116/200
<b>Cultivation Operations</b>	9/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	1/1
- Moisture Content	0/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	28/50
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	29/50
Staff Training	20/20
Standard Operating Procedures	4/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	50/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	10/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	10/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Delaware had a low opinion of the existing program, but did feel as though it improved in 2020 thanks to more product consistency and diversity. Some surveyed patients believe that too few retailers across the state and the high cost of medicine make the program prohibitive.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
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DISTRICT OF COLUMBIA (DC)

2020-21 Improvements and Recommendations

Patient enrollment in the district increased by nearly 37% between 2020 and 2021. In October of 2020, regulation of DC's existing medical cannabis market was transferred from DC Health to the Alcoholic Beverage Regulation Administration. This is a move seen by many in the District as a pre-emptive maneuver to prepare for the long delayed adult use market to open when congress finally removes the budget limitations that have been in place since 2015.

There were new mandatory aflatoxin (mycotoxin) testing standards written into the District's regulations; however, whoever wrote the new rule failed to establish any limits on the toxins. Effectively this means that although labs will now test for mycotoxins alongside other contaminants, there is no failure point. While DC has some of the most stringent testing requirements in place there are currently no labs licensed and accredited to operate in DC.

In 2022, ASA recommends that the DC city council pass a bill that focuses on filling the gaps that exist in their protections of civil rights for patients. Patients should not face discriminatory roadside sobriety testing. As it stands, only public employees of the district have any protection from discrimination by employers in the law, we recommend these protections are extended to all employees in all fields. The district must also keep landlords from unfairly denying patients housing or evicting them based on status. Finally, parental rights of any kind should not be denied based on a person's status as a patient.



BASE CATEGORIES POINTS: 438  
PENALTIES: 0  
POINT TOTAL: 438/700  
SCORE PERCENTAGE: 62.57%

11,716 Registered Patient Population  
1.66% of Total Population Represented by Patients  
7 Retail Locations Currently in Operation  
1,674 : 1 Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	60/100	PROGRAM FUNCTIONALITY	98/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	10/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	0/2
		- Number of Caregivers	3/3
ACCESS TO MEDICINE	60/100	Reasonable Physician Standards	5/5
Authorizes Retail Access	10/10	Access to Administration Methods	10/10
Alternative Accessibility Methods	10/20	- Allows Dried Flower	5/5
- Authorizes Delivery	0/10	- Allows Edibles, Concentrates, and Other Forms	5/5
- Authorizes Curbside Pickup	10/10	Provides Access to Minors on School Grounds	5/5
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	5/30		
Reciprocity	20/20		
		NEW! HEALTH AND SOCIAL EQUITY	60/100
NEW! AFFORDABILITY	35/100	State Program Protections	25/25
Sales Tax Break for Patients and Caregivers	0/20	Housing Protections	0/25
Covered by State Insurance or Health Aid	0/20	Access for Minors	10/10
Reasonable Registration Fees	10/20	Access in Underserved Areas	5/10
Financial Hardship Waivers or Discounts	15/20	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Donation Program	0/10	Allows Patients to Medicate Where They Choose	0/10
Allows Multi-year Registrations	10/10	Organ Transplants	5/5
		Ownership or Employment Restrictions	5/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	125/200
Cultivation Operations	22/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	8/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	28/50
Quality Management Systems	5/10
Staff Training	10/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	10/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	25/50
Staff Training	20/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	50/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
NEW! SCORE PENALTIES	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in DC were mixed in their approval of the program, but a narrow majority gave it a favorable rating. While most noticed no significant change in access, some noted that they appreciated the addition of delivery and curbside pickup.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

The PFC program is approved by ABRA to provide the required training to all agents. The training includes 5 different courses totaling 8-10 hours of training. PFC is currently the only recognized [training provider](#) in DC.



FLORIDA

2020-21 Improvements and Recommendations

In June 2021, Florida's Supreme Court ruled 6-1 in favor of preserving the state's existing rules requiring cannabis operators to be vertically integrated. The decision heavily favors the state's largest operators who can afford to fund an expensive vertical operation at scale.

Florida's COVID emergency provisions were allowed to expire at the end of June 2021. This means that telehealth services for renewals and curbside pickup at dispensaries are no longer available for Florida's patients. This will impact access for thousands of Florida patients who have to renew their registration every 7 months. ASA recommends both extending the length of patient registrations and reinstating the COVID emergency telehealth measure.

Florida's medical cannabis program saw an explosion of patient registrations as enrollment nearly doubled. With over 258,474 registrations since our last report, it was the largest burst of growth among all states in terms of individual registrations. Florida is now one of only two states with more than half a million registered cannabis patients.

Florida has a lot of room for improvement when it comes to protecting patient civil rights. First, patients should not face discriminatory roadside sobriety testing. As it stands there are no existing protectins in the law against discrimination by employers, we recommend these protections are extended to all employees in all fields. The state currently prohibits landlords from unfairly denying patients housing or evicting them solely based on status but allows landlords to prohibit specific behaviors within the lease. Housing protections should be so robust as to allow the patient to medicate in the comfort of their own home. For the purposes of medical procedures and organ transplants, cannabis must be treated as any other prescription medication. Finally, parental rights of any kind should not be denied based on a person's status as a patient.



BASE CATEGORIES POINTS:	341
PENALTIES:	0
POINT TOTAL:	341/700
SCORE PERCENTAGE:	48.71%

607,132	2.83%	371	1,636 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	80/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	2/5
		- Background Checks	2/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	3/5
<b>ACCESS TO MEDICINE</b>	65/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	30/30		
Reciprocity	5/20		
<b>NEW! AFFORDABILITY</b>	30/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	32/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	10/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	10/25
Reasonable Registration Fees	10/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	2/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	84/200
<b>Cultivation Operations</b>	12/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	7/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	2/7
<b>Manufacturing Operations</b>	17/50
Quality Management Systems	5/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	8/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	1/5
<b>Dispensary Operations</b>	15/50
Staff Training	5/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	10/13

ISSUE	POINTS
<b>Laboratory Operations</b>	40/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Many surveyed patients in Florida noticed no change in access over the past year, but some did say that access improved thanks to a wider selection of products (including edibles, RSO, and concentrates) and more dispensing locations. A major issue for Florida's patients continues to be cost; the majority of respondents noted that the cost of medicine was too high, many also complained about steep doctor and renewal fees. Product shortages were also a common issue reported, one respondent noted that the only products that seem to be available are high end boutique products out of their price range.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

GEORGIA

2020-21 Improvements and Recommendations

Hopes were high last year when the USDA approved Georgia’s hemp production plan; however, as dozens of companies wait for approval to begin production and retail operations for the state’s fledgling Low-THC oil program, Georgia’s Supreme Court ruled that lawyers who counsel medical cannabis businesses operating in the state could face sanctions. This is just the latest bump in the road of a program trying to get on its feet since the law authorizing it was first passed in 2015.

Once again, ASA recommends Georgia get their in-state production, distribution and retail of authorized medical products off of the ground, and encourages Georgia to improve its program by strengthening product safety standards, increasing the forms of medical cannabis and medical cannabis products available to patients, and removing arbitrary limits on THC percentage.



BASE CATEGORIES POINTS:	170
PENALTIES:	-20
POINT TOTAL:	150/700
SCORE PERCENTAGE:	21.43%

14,511	0.13%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	50/100	PROGRAM FUNCTIONALITY	54/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	4/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	18/100	NEW! HEALTH AND SOCIAL EQUITY	18/100
Authorizes Retail Access	5/10	State Program Protections	5/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	8/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	0/5
Reciprocity	13/20	Ownership or Employment Restrictions	0/5
NEW! AFFORDABILITY	30/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	0/20		
Donation Program	0/10		
Allows Multi-year Registrations	10/10		

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	0/200
Cultivation Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
NEW! SCORE PENALTIES	20/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Respondents in Georgia reported no noticeable change in access since our last report. They are still frustrated by the lack of retailers and the high cost of the medicine in general.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



GUAM

2020-21 Improvements and Recommendations

Guam’s cannabis implementation has been rife with long delays and administrative stalemates. When the Guam Cannabis Industry Act was signed into law in 2019, regulators were required to release rules governing the program by April 2020. Regulators did not propose rules until July 2021, and are only now working to set up a functioning program. In the meantime, regulators announced that cannabis consumption for persons 21 years of age or older is permitted, as is legal possession and gifting of up to one ounce of dried flower and home cultivation of up to three flowering and three non-flowering plants. All sales of adult-use cannabis and sales of manufactured cannabis products are not permitted until regulations are finalized. In the meantime, the organization of a functioning medical access program continues to languish. In 2018 the head of Guam’s Department of Public Health and Social Services resigned citing a lack of staff, budget or expertise necessary to develop or implement the program.

Guam deserves credit for allowing physicians to recommend medical cannabis for any qualifying condition, but it needs to open dispensaries and address administrative delays to effectively serve patients. The territory illustrates that a good program on paper does not necessarily translate to functioning safe and legal patient access. Guam also needs to improve its staff training in cannabis cultivation, dispensing, and manufacturing and increase civil rights protections in the areas of housing, organ transplants, and employment.



BASE CATEGORIES POINTS:	388
PENALTIES:	-15
POINT TOTAL:	373/700
SCORE PERCENTAGE:	53.29%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	95/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	25/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	20/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	45/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	153/200
<b>Cultivation Operations</b>	33/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	2/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	37/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	2/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	33/50
Staff Training	20/20
Standard Operating Procedures	3/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	10/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	50/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Surveyed patients again report that the lack of medical providers who are willing to recommend medical cannabis in Guam is driving many patients to seek cannabis from the illicit market.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

The PFC program is recognized by DPHSS in Guam to provide laboratory certification equivalent to ISO 17025. Labs in Guam may elect to get PFC certified instead of ISO 17025.



HAWAII

2020-21 Improvements and Recommendations

Hawaii saw continued growth in patient enrollment, adding 3,488 new patients since our last report. One factor that likely helped growth for Hawaii was the extended registration periods of up to 2 years that were established by the committee in 2019. Even through the pandemic, Hawaii expanded access to patients on the main island by adding a fifth dispensary bringing the total across the state to 13. Legislators in Hawaii passed Act 169 which, while promising to look ahead to adult use in Hawaii by forming a commission to study the impacts of adult use legalization on patients, unfortunately takes a step back for patients. The state's previously low \$35 annual patient registration fees have been struck in favor of fees to be set by the state health department; the same was done for the \$45 registration fees for out of state patients who still have to apply for reciprocity.

ASA recommends the commission use its new authority to set rates to keep them reasonable for patients and to eliminate them altogether for visiting patients. Additional recommendations include creating protections in the law against discrimination by employers in the workplace and exempting patients from discriminatory roadside sobriety testing. Finally, Hawaii should consider adopting some of the COVID measures which improved access across the country like delivery and curbside pickup as well as extending telehealth coverage to the initial certification.



BASE CATEGORIES POINTS:	332
PENALTIES:	0
POINT TOTAL:	332/700
SCORE PERCENTAGE:	47.43%

34,135	2.41%	13	2,275 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	70/100	PROGRAM FUNCTIONALITY	62/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	15/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	7/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	45/100	NEW! HEALTH AND SOCIAL EQUITY	72/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	0/20	Housing Protections	20/25
- Authorizes Delivery	0/10	Access for Minors	10/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	2/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Collective Gardening	5/5	Allows Patients to Medicate Where They Choose	5/10
Sufficient Number of Licensed Retailers	5/30	Organ Transplants	5/5
Reciprocity	10/20	Ownership or Employment Restrictions	0/5
NEW! AFFORDABILITY	45/100		
Sales Tax Break for Patients and Caregivers	15/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	0/20		
Donation Program	0/10		
Allows Multi-year Registrations	10/10		

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	38/200
Cultivation Operations	12/50
Quality Management Systems	0/10
Staff Training	5/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	12/50
Quality Management Systems	0/10
Staff Training	5/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	5/50
Staff Training	5/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	9/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	0/5
Staff Training	5/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
NEW! SCORE PENALTIES	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5
Patient Feedback	
Patients surveyed in Hawaii were divided on whether access had improved or stagnated in the past year. Those who saw improvement in the program cited extended registration periods, more retail locations, and greater product diversity. Other patients feel that the state Department of Health is favoring retailers over patients. While patients were mixed in their response to the cost of medicine, none answered that it was affordable.	
Background	
For background information regarding this state, please visit <a href="http://www.safeaccessnow.org/states">www.safeaccessnow.org/states</a> and click on the state.	
Recommendations for Policy Makers and Regulators	
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.	
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.	

IDAHO

2020-21 Improvements and Recommendations

Idaho is one of only 2 states left that does not allow access to any form of cannabis for its residents. ASA encourages state lawmakers to create legislation designed to imitate high scoring states like Maine to provide comprehensive access to medical cannabis in the state. Becoming a licensed producer or retailer should be just as affordable and easy as becoming a patient. ASA recommends strong statutory language that would provide legal protections to patients related to employment, housing, education and family law. Also crucial is the development of an in-state production system for lab-tested medical cannabis products that can be made available to patients at ubiquitous legal retailers. Finally, ASA also recommends that lawmakers authorize patients and caregivers to cultivate cannabis at home to reduce costs to patients.



BASE CATEGORIES POINTS:	0
PENALTIES:	0
POINT TOTAL:	0/700
SCORE PERCENTAGE:	0%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	0/100	<b>PROGRAM FUNCTIONALITY</b>	0/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	0/20
Affirmative Defense	0/20	Reasonable Possession Limits	0/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	0/5
		Access to Administration Methods	0/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	0/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	0/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	0/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	0/20	Access for Minors	0/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	0/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Idaho reported frustration about there being no noticeable change to their non-existent program once again.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

ILLINOIS

2020-21 Improvements and Recommendations

In June 2021, there was a statewide computer glitch with the state’s track and trace software. The glitch created an error in processing patient data which meant dispensaries couldn’t serve patients without a breach of compliance. The glitch highlights a central issue with the state program in Illinois that forces patients to choose a single dispensary to be their point of access. When this single point of access failed, patients were forced to shop alongside adult use consumers and pay markups on products alongside 30% more in taxes.

Despite major access issues stemming from a computer glitch, 2020-2021 was a period of exceptional growth for Illinois’ patient enrollment. Since our last report, we have seen over 36,000 new patient registrations.

Illinois did not extend delivery or curbside pickup options to patients as a measure to improve access during the COVID pandemic. ASA strongly recommends that state legislators look at the success with which these policies were deployed across the country and consider adding these options for patients to acquire their medicine. We also recommend that the state extend reciprocity measures so that visiting patients have access to medical cannabis products.



BASE CATEGORIES POINTS:	503
PENALTIES:	0
POINT TOTAL:	503/700
SCORE PERCENTAGE:	71.86%

136,530	1.08%	55	2,482 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	90/100	<b>PROGRAM FUNCTIONALITY</b>	90/100
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	15/20
Affirmative Defense.....	20/20	Reasonable Possession Limits.....	10/10
Parental Rights Protections.....	10/20	Reasonable Purchase Limits.....	10/10
Employment Protections.....	20/20	Telemedicine for Physician Certification.....	10/15
DUI Protections.....	10/10	Patient and Physician Representation in Program Decision Making.....	20/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	5/5
		- Background Checks.....	2/2
		- Number of Caregivers.....	3/3
		Reasonable Physician Standards.....	5/5
		Access to Administration Methods.....	10/10
		- Allows Dried Flower.....	5/5
		- Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	5/5
<b>ACCESS TO MEDICINE</b>	45/100		
Authorizes Retail Access.....	10/10		
Alternative Accessibility Methods.....	0/20		
- Authorizes Delivery.....	0/10		
- Authorizes Curbside Pickup.....	0/10		
Personal Cultivation.....	15/15		
Collective Gardening.....	0/5		
Sufficient Number of Licensed Retailers.....	15/30		
Reciprocity.....	5/20		
<b>NEW! AFFORDABILITY</b>	65/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	75/100
Sales Tax Break for Patients and Caregivers.....	20/20	State Program Protections.....	25/25
Covered by State Insurance or Health Aid.....	0/20	Housing Protections.....	20/25
Reasonable Registration Fees.....	20/20	Access for Minors.....	5/10
Financial Hardship Waivers or Discounts.....	15/20	Access in Underserved Areas.....	0/10
Donation Program.....	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive.....	10/10
Allows Multi-year Registrations.....	10/10	Allows Patients to Medicate Where They Choose.....	5/10
		Organ Transplants.....	5/5
		Ownership or Employment Restrictions.....	5/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	138/200
<b>Cultivation Operations</b>	30/50
Quality Management Systems.....	10/10
Staff Training.....	0/10
Standard Operating Procedures.....	7/8
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	0/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Water Management.....	1/1
- Records Management.....	1/1
Pesticide Usage Limitations.....	2/2
Environmental Impact Regulations.....	2/2
Required Testing.....	4/8
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	1/1
- Heavy Metals.....	0/1
- Foreign Matter.....	0/1
- Moisture Content.....	0/1
Packaging and Labeling.....	2/3
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Pesticides.....	1/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/7
<b>Manufacturing Operations</b>	27/50
Quality Management Systems.....	10/10
Staff Training.....	0/10
Standard Operating Procedures.....	6/7
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	0/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Environmental Impact Regulations.....	0/3
Required Testing.....	5/10
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	1/1
- Heavy Metals.....	0/1
- Residual Solvents.....	1/1
- Homogeneity.....	0/1
- Foreign Matter.....	0/1
- Water Activity.....	0/1
Packaging and Product Labeling.....	3/5
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Ingredients.....	1/1
- Allergens.....	1/1
- Nutritional Content.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/5
<b>Dispensary Operations</b>	43/50
Staff Training.....	20/20
Standard Operating Procedures.....	6/7
- Facility Sanitation.....	1/1
- Workplace Safety.....	0/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Product Testing.....	10/10
- Product Meets Requirements Before Sale.....	5/5
- COA Disclosure.....	5/5
Complaints, Adverse Event Reporting and Recall Protocol.....	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	38/50
Independent or Third-Party.....	5/5
Laboratory Sampling.....	5/5
Method Validation.....	4/4
Quality Management Systems.....	5/5
Staff Training.....	10/20
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Equipment and Instrument Calibration.....	1/1
- Workplace Safety.....	1/1
- Sample Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Result Reporting.....	2/4
<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use.....	0/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	0/15
Requires Vertical Integration.....	0/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	0/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

**Patient Feedback**  
Patients Surveyed in Illinois were split on their favorability of the medical cannabis program in the past year, but a narrow majority gave it favorable reviews. The majority felt that access had improved thanks to the requirement to register at every dispensary they shop at being dropped, a change they were enthusiastic about. Those who saw no noticeable change in the program or felt that access got worse cited the rising prices and the scarcity of effective products like RSOs, and edibles due to adult use customers buying them up. Most patients in Illinois feel that there are not a sufficient number of dispensaries to meet patient demand. Patients in Illinois reported some of the most prohibitive costs in the entire report, most respondents said they paid over \$60 per 1/8th of flower.

**Background**  
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**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

The PFC program has been approved by [IDPFR Responsible Vendor Training](#) program to provide initial and ongoing training to dispensary agents. The initial training includes 8 hrs of educational courses and 2 hrs of annual training.



INDIANA

2020-21 Improvements and Recommendations

Once again, lawmakers in Indiana did nothing to advance the safe access of medical cannabis for their constituents. ASA encourages Indiana state legislators to organize functional reforms to help patients, including expanding the list of qualifying conditions required for eligibility to participate in the state’s CBD program, removing arbitrary caps on THC content in cannabis-related medications and organizing a fully functional medical cannabis production and sale system for patients to purchase medical cannabis in state.

ASA encourages state lawmakers to listen to the constituents of Indiana and initiate work focused on building a comprehensive medical cannabis program. Such a program should provide legal protections to patients related to employment, housing, education and family law. The system should also authorize an in-state production system for lab-tested medical cannabis and cannabis products that can be made available to patients at legal retailers. ASA also recommends that lawmakers authorize patients and caregivers to cultivate cannabis at home to reduce costs to patients. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Home and small-scale cultivation would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products. ASA further recommends that Hoosier legislators look to high scoring states and territories to help craft their legislation to create a robust medical cannabis program. Neighboring states of Illinois, Michigan, and Ohio all have functioning programs from which Indiana can learn.



BASE CATEGORIES POINTS:	133
PENALTIES:	-30
POINT TOTAL:	103/700
SCORE PERCENTAGE:	14.71%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	27/100	<b>PROGRAM FUNCTIONALITY</b>	27/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	10/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	5/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	2/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	1/100		
Authorizes Retail Access	1/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	40/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	8/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	7/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	1/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	30/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Indiana reported their continued frustrations with their state’s comprehensive lack of access.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

IOWA

2020-21 Improvements and Recommendations

While 2020 saw some improvements in the Iowa program, in 2021 lawmakers did nothing to advance the safe access of medical cannabis for their constituents. ASA encourages Iowa lawmakers to organize a comprehensive medical cannabis program that provides protections for patients who rent, as well as protections from employers that permit patients to use cannabis as a medicine without fear of losing employment. Such a program should remove arbitrary THC caps, and permit the cultivation, manufacturing, testing, distribution and retail of medical cannabis and cannabis products for patients.

Iowa lawmakers and regulators should also pay close attention to relieving some of the most burdensome access problems for patients. One example includes improving access to dispensaries; there are very few retailers in the state, meaning most patients must travel far distances to purchase their medicine.



BASE CATEGORIES POINTS:	275
PENALTIES:	-5
POINT TOTAL:	270/700
SCORE PERCENTAGE:	38.57%

6,491	0.21%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	<b>50/100</b>	<b>PROGRAM FUNCTIONALITY</b>	<b>57/100</b>
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	10/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	10/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	4/5
		Access to Administration Methods	3/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	3/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	<b>20/100</b>	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	<b>15/100</b>
Authorizes Retail Access	10/10	State Program Protections	0/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	10/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	5/30	Organ Transplants	0/5
Reciprocity	5/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	<b>20/100</b>		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	10/20		
Financial Hardship Waivers or Discounts	10/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	<b>113/200</b>
<b>Cultivation Operations</b>	<b>27/50</b>
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	4/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	4/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	<b>28/50</b>
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	5/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	<b>16/50</b>
Staff Training	5/20
Standard Operating Procedures	4/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	<b>42/50</b>
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	4/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	<b>5/100</b>
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Iowa reported no noticeable change since our last report and frustration on the high prices for the CBD oil that is available to them.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

KANSAS

2020-21 Improvements and Recommendations

While members in the Kansas House of Representatives passed a bill that would create an access program for medical cannabis in the state and Governor Kelly indicated approval for the plan, the bill has ultimately stalled in the senate.

Once again, ASA encourages Kansas state lawmakers to initiate work focused on organization of a comprehensive medical cannabis program. Such a program should provide legal protections to patients related to employment, housing, education and family law and develop an in-state production system for lab-tested medical cannabis and cannabis products that can be made available to patients at legal retailers. ASA also recommends that lawmakers authorize patients to cultivate cannabis at home to reduce costs to patients.



BASE CATEGORIES POINTS:	72
PENALTIES:	-20
POINT TOTAL:	52/700
SCORE PERCENTAGE:	7.43%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	40/100	<b>PROGRAM FUNCTIONALITY</b>	21/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	10/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	0/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	0/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	11/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	0/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	6/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Surveyed patients voiced frustration that while members in the Kansas House of Representatives passed a bill that would create an access program for medical cannabis in the state, and Governor Kelly indicated approval for the plan, the bill has ultimately stalled in the senate. As such, patients surveyed in Kansas reported no noticeable change in access since our last report. They also reported high prices on available CBD oil products.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



KENTUCKY

2020-21 Improvements and Recommendations

Once again, Kentucky legislators did nothing to advance medical cannabis access for their constituents in 2021. As Kentucky looks to 2022, ASA encourages state lawmakers to finally initiate work focused on construction of a comprehensive medical cannabis program. There are a few key steps lawmakers can take to expand access to medical cannabis in their state. They can start by removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. Legislators should also seek to cover patients with a diversity of health conditions through significant expansion of the state’s list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights.

Legislators in Kentucky should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	114
PENALTIES:	-45
POINT TOTAL:	69/700
SCORE PERCENTAGE:	9.86%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	25/100	PROGRAM FUNCTIONALITY	33/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	2/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	20/100	NEW! HEALTH AND SOCIAL EQUITY	36/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	1/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	0/200
Cultivation Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
NEW! SCORE PENALTIES	45/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Kentuckians surveyed gave the existing access program substantially low ratings and reported their continued frustration from a lack of access with no real changes made in 2021. Patients in Kentucky also reported prohibitively high prices.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
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LOUISIANA

2020-21 Improvements and Recommendations

After years of restrictive product access for Louisiana’s patients, Governor Edwards has signed HB 391 into law in June 2021. The bill finally allowed Louisiana’s patients to access smokable forms of cannabis from the state’s licensed providers.

ASA is encouraged by Louisiana’s addition of smokable flowers after years without it. While it is a strong step forward, ASA recommends that Louisiana’s legislature focuses their efforts on protecting the civil rights of patients. As it stands, the state does not protect a patient’s right to housing, employment, child custody, organ transplants, or against unfair discrimination in a roadside sobriety test based un their status as a patient. These are all essential protections to ensure safe access for patients who are likely to face discrimination from law enforcement and others. Lawmakers in the state should also consider allowing retailers to offer curbside pickup to patients and extending telehealth coverage to individuals beyond just those who have seen their doctor in person in the past year. Finally, now that the state is allowing smokable flowers, Louisiana lawmakers should look at allowing registered patients and caregivers to grow at home. This helps to increase the supply of medicine available to patients in the state and lowers costs.



BASE CATEGORIES POINTS:	332
PENALTIES:	-15
POINT TOTAL:	317/700
SCORE PERCENTAGE:	45.29%

4,350	0.09%	9	483 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<div></div> <b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b> 50/100		<div></div> <b>PROGRAM FUNCTIONALITY</b> 56/100	
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	10/20
Affirmative Defense.....	20/20	Reasonable Possession Limits.....	10/10
Parental Rights Protections.....	0/20	Reasonable Purchase Limits.....	10/10
Employment Protections.....	0/20	Telemedicine for Physician Certification.....	8/15
DUI Protections.....	0/10	Patient and Physician Representation in Program Decision Making ..	0/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	3/5
		– Background Checks.....	2/2
		– Number of Caregivers.....	1/3
		Reasonable Physician Standards.....	5/5
		Access to Administration Methods.....	10/10
		– Allows Dried Flower.....	5/5
		– Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	0/5
<div></div> <b>ACCESS TO MEDICINE</b> 21/100		<div></div> <b>NEW! HEALTH AND SOCIAL EQUITY</b> 45/100	
Authorizes Retail Access.....	10/10	State Program Protections.....	25/25
Alternative Accessibility Methods.....	10/20	Housing Protections.....	0/25
– Authorizes Delivery.....	10/10	Access for Minors.....	10/10
– Authorizes Curbside Pickup.....	0/10	Access in Underserved Areas.....	0/10
Personal Cultivation.....	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive.....	10/10
Collective Gardening.....	0/5	Allows Patients to Medicate Where They Choose.....	0/10
Sufficient Number of Licensed Retailers.....	1/30	Organ Transplants.....	0/5
Reciprocity.....	0/20	Ownership or Employment Restrictions.....	0/5
<div></div> <b>NEW! AFFORDABILITY</b> 30/100			
Sales Tax Break for Patients and Caregivers.....	20/20		
Covered by State Insurance or Health Aid.....	0/20		
Reasonable Registration Fees.....	10/20		
Financial Hardship Waivers or Discounts.....	0/20		
Donation Program.....	0/10		
Allows Multi-year Registrations.....	0/10		

ISSUE	POINTS
<div></div> <b>CONSUMER PROTECTION AND PRODUCT SAFETY</b> 130/200	
<b>Cultivation Operations</b> 31/50	
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	6/8
– Facility and Equipment Sanitation.....	1/1
– Workplace Safety.....	0/1
– Storage.....	1/1
– Batch and Lot Tracking.....	1/1
– Security.....	1/1
– Waste Disposal.....	1/1
– Water Management.....	0/1
– Records Management.....	1/1
Pesticide Usage Limitations.....	2/2
Environmental Impact Regulations.....	0/2
Required Testing.....	0/8
– Cannabinoids.....	0/1
– Terpenes.....	0/1
– Microbials.....	0/1
– Aflatoxins.....	0/1
– Pesticides.....	0/1
– Heavy Metals.....	0/1
– Foreign Matter.....	0/1
– Moisture Content.....	0/1
Packaging and Labeling.....	0/3
– Cannabinoids.....	0/1
– Terpenes.....	0/1
– Pesticides.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/7

<b>Manufacturing Operations</b> 42/50	
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	6/7
– Facility and Equipment Sanitation.....	1/1
– Workplace Safety.....	0/1
– Storage.....	1/1
– Batch and Lot Tracking.....	1/1
– Security.....	1/1
– Waste Disposal.....	1/1
– Records Management.....	1/1
Environmental Impact Regulations.....	3/3
Required Testing.....	7/10
– Cannabinoids.....	1/1
– Terpenes.....	0/1
– Microbials.....	1/1
– Aflatoxins.....	1/1
– Pesticides.....	1/1
– Heavy Metals.....	1/1
– Residual Solvents.....	1/1
– Homogeneity.....	1/1
– Foreign Matter.....	0/1
– Water Activity.....	0/1
Packaging and Product Labeling.....	3/5
– Cannabinoids.....	1/1
– Terpenes.....	0/1
– Ingredients.....	1/1
– Allergens.....	1/1
– Nutritional Content.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/5

<b>Dispensary Operations</b> 7/50	
Staff Training.....	0/20
Standard Operating Procedures.....	0/7
– Facility Sanitation.....	0/1
– Workplace Safety.....	0/1
– Storage.....	0/1
– Batch and Lot Tracking.....	0/1
– Security.....	0/1
– Waste Disposal.....	0/1
– Records Management.....	0/1
Product Testing.....	0/10
– Product Meets Requirements Before Sale.....	0/5
– COA Disclosure.....	0/5
Complaints, Adverse Event Reporting and Recall Protocol.....	7/13

ISSUE	POINTS
<b>Laboratory Operations</b> 50/50	
Independent or Third-Party.....	5/5
Laboratory Sampling.....	5/5
Method Validation.....	4/4
Quality Management Systems.....	5/5
Staff Training.....	20/20
Standard Operating Procedures.....	7/7
– Facility and Equipment Sanitation.....	1/1
– Equipment and Instrument Calibration.....	1/1
– Workplace Safety.....	1/1
– Sample Tracking.....	1/1
– Security.....	1/1
– Waste Disposal.....	1/1
– Records Management.....	1/1
Result Reporting.....	4/4

<div></div> <b>NEW! SCORE PENALTIES</b> 15/100	
Gives Regulatory Preference to Adult Use.....	0/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	15/15
Requires Vertical Integration.....	0/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	0/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

Patient Feedback

The majority of patients surveyed in Louisiana gave unfavorable reviews of the program; however, most also saw improvements to the program and were happy to now be able to purchase flower at retailers. Patients report prohibitive prices on the medicine that is available and cite the fact that there are only two licensed cultivators and too few retailers as the likely cause.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



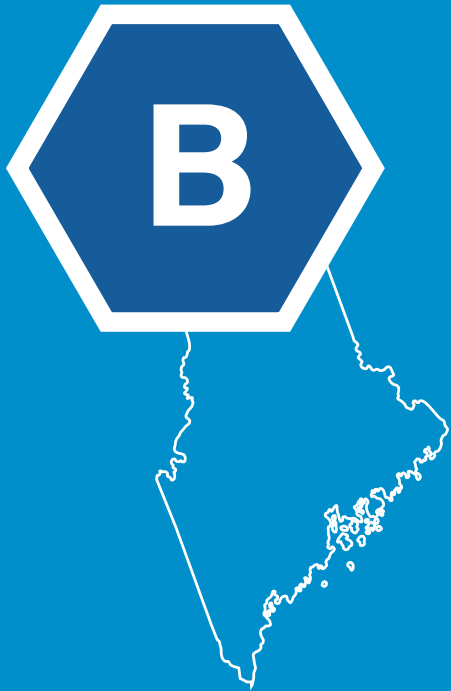
MAINE

2020-21 Improvements and Recommendations

As the adult use market enters its second year open to the public, Maine legislators have responded to concerns among the state’s medical cannabis caregivers of being sidelined by the growing retail market: LD 1242 “An Act To Ensure Appropriate Oversight of Maine’s Medical Marijuana Program” was passed as an emergency measure in June 2021. The new law gives the state’s caregivers a say in regulatory decisions made by the Maine Office of Marijuana Policy and requires any future changes to the medical cannabis program be made by the state legislature. This is important for the small operators of Maine who had previously expressed concerns over getting squeezed out by the larger retail industry.

Even as adult use stores finally open their doors to the public, Maine’s medical cannabis patient registry had a year of exceptional growth. With over 30,000 new patients, Maine’s per capita participation rate has increased to over 7% of the population. This is likely due to the high cost of cannabis at adult use stores compared to what are some of the most affordable products in the country at one of the states’ many mom-and-pop run caregiver storefronts.

ASA recommends extending the stricter adult use third-party testing standards to products intended for consumption by patients. Additionally, the state should consider allowing multiple yearlong registrations to avoid burdening patients with unnecessary paperwork.



BASE CATEGORIES POINTS:	543
PENALTIES:	-10
POINT TOTAL:	533/700
SCORE PERCENTAGE:	76.14%

96,047	7.15%	430	223 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	90/100	<b>PROGRAM FUNCTIONALITY</b>	100/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	95/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	5/5		
Sufficient Number of Licensed Retailers	30/30		
Reciprocity	15/20		
<b>NEW! AFFORDABILITY</b>	60/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	75/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	20/25
Reasonable Registration Fees	20/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	7/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	5/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	123/200
<b>Cultivation Operations</b>	14/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	4/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	7/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7

<b>Manufacturing Operations</b>	37/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	9/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5

<b>Dispensary Operations</b>	24/50
Staff Training	20/20
Standard Operating Procedures	4/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	48/50
Independent or Third-Party	5/5
Laboratory Sampling	3/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4

<b>NEW! SCORE PENALTIES</b>	10/100
Gives Regulatory Preference to Adult Use	10/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Maine gave the program very favorable reviews and unanimously agreed that access has improved in the past year thanks to falling prices and more choices on where to shop. Maine’s adult use rollout was given mixed reviews by surveyed patients, while some were thankful it didn’t impact their medical access like it has in so many other states, others were happy to have more choices in places to shop. Surveyed patients in Maine reported some of the lowest costs in the country at between \$20-30 per 1/8th. Even at prices substantially lower than most places, Maine’s patients still reported overall prohibitive costs, highlighting the alarming cost to patients in other jurisdictions.

**Background**  
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**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
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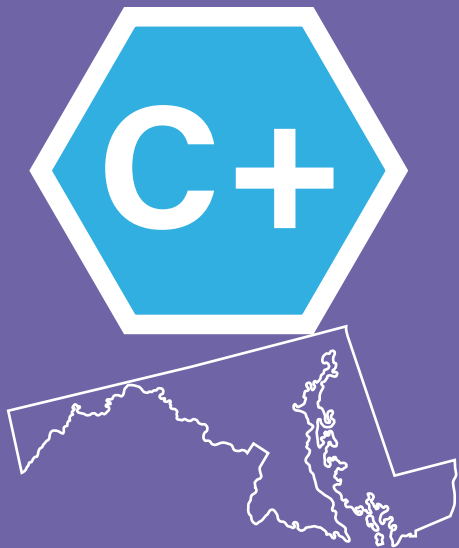


MARYLAND

2020-21 Improvements and Recommendations

Legislative efforts in the state of Maryland in 2021 remained concentrated on passing comprehensive adult use legislation. After failing again to pass the bill, legislators have decided to follow the example of nearly every other state that has legalized cannabis for adult use by preparing a referendum for the 2022 ballot. The measures that the state put into place to protect patients during COVID remain in place for now but have not been made permanent. Maryland's patient registry saw steady growth in 2021 with about 17,000 new patient registrations.

ASA recommends that the state of Maryland take greater efforts to reign in the cost of medicine in the state. They can start by licensing more producers to address the inadequate supply. Preferably, the state should enact an open licensing period where anybody can apply to be a cannabis business operator when they are ready; the licensing body can approve acceptable applications on a continuous rolling basis. Legislators should also allow patients and caregivers to grow cannabis at home and explore the option of allowing caregivers to sell third-party tested cannabis products to retailers.



BASE CATEGORIES POINTS:	479
PENALTIES:	-10
POINT TOTAL:	469/700
SCORE PERCENTAGE:	67%

125,335	2.07%	103	1,216 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	80/100	<b>PROGRAM FUNCTIONALITY</b>	79/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	9/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	10/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	60/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	30/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	50/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	45/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	10/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	2/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	165/200
<b>Cultivation Operations</b>	43/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	4/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	8/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	1/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	7/7

<b>Manufacturing Operations</b>	43/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	9/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	1/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	5/5

<b>Dispensary Operations</b>	42/50
Staff Training	20/20
Standard Operating Procedures	4/7
- Facility Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	13/13

ISSUE	POINTS
<b>Laboratory Operations</b>	37/50
Independent or Third-Party	5/5
Laboratory Sampling	4/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	2/4
<b>NEW! SCORE PENALTIES</b>	10/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in Maryland gave overall favorable ratings to the program with some outliers giving very critical reviews. The majority of patients noticed no substantial changes since our last report, while the minority saw some improvements. Those who saw improvements cited more dispensaries opened near their home, producers in the state making better products, and appreciation for the emergency COVID measures as important steps forward. A substantial number of respondents reported a frustration with a lack of permitted homegrow so many years after the program's inception. Most patients feel there are enough dispensaries in the state, while a minority says there aren't enough. Almost all patients surveyed in Maryland reported prohibitive costs of medicine.

Background

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Recommendations for Policy Makers and Regulators

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MASSACHUSETTS

2020-21 Improvements and Recommendations

Delivery is now available to adults over the age of 21 in parts of Massachusetts as several of the companies licensed to conduct delivery services have been authorized to begin operations. Previously, delivery was only available to patients even through the COVID pandemic. For now, the state’s emergency COVID provisions remain in place but have not been made permanent.

Massachusetts is among the few states that saw a decline in patient enrollment since our last report with the registry losing about 2,000, or just over 2%, of its patient population.

In 2022, ASA recommends that Massachusetts legislators expand the protections provided under the law for patients. As it stands, employment protections only exist through case law when there should be explicit language in state law to keep employers from wrongfully discriminating against medical cannabis patients. Patients should not face discriminatory roadside sobriety testing. Finally, parental rights of any kind should not be denied based on a person’s status as a patient, so state legislators must create specific legal language to protect them.



BASE CATEGORIES POINTS:	465
PENALTIES:	-20
POINT TOTAL:	445/700
SCORE PERCENTAGE:	63.57%

86.197	1.25%	136	634 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	60/100	<b>PROGRAM FUNCTIONALITY</b>	67/100
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	20/20
Affirmative Defense.....	20/20	Reasonable Possession Limits.....	10/10
Parental Rights Protections.....	0/20	Reasonable Purchase Limits.....	10/10
Employment Protections.....	0/20	Telemedicine for Physician Certification.....	7/15
DUI Protections.....	10/10	Patient and Physician Representation in Program Decision Making.....	0/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	5/5
		- Background Checks.....	2/2
		- Number of Caregivers.....	3/3
		Reasonable Physician Standards.....	5/5
		Access to Administration Methods.....	10/10
		- Allows Dried Flower.....	5/5
		- Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	0/5
<b>ACCESS TO MEDICINE</b>	65/100		
Authorizes Retail Access.....	10/10		
Alternative Accessibility Methods.....	20/20		
- Authorizes Delivery.....	10/10		
- Authorizes Curbside Pickup.....	10/10		
Personal Cultivation.....	15/15		
Collective Gardening.....	0/5		
Sufficient Number of Licensed Retailers.....	15/30		
Reciprocity.....	5/20		
<b>NEW! AFFORDABILITY</b>	60/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	75/100
Sales Tax Break for Patients and Caregivers.....	20/20	State Program Protections.....	25/25
Covered by State Insurance or Health Aid.....	0/20	Housing Protections.....	20/25
Reasonable Registration Fees.....	20/20	Access for Minors.....	10/10
Financial Hardship Waivers or Discounts.....	20/20	Access in Underserved Areas.....	5/10
Donation Program.....	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive.....	5/10
Allows Multi-year Registrations.....	0/10	Allows Patients to Medicate Where They Choose.....	0/10
		Organ Transplants.....	5/5
		Ownership or Employment Restrictions.....	5/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	138/200
<b>Cultivation Operations</b>	41/50
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	8/8
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Water Management.....	1/1
- Records Management.....	1/1
Pesticide Usage Limitations.....	2/2
Environmental Impact Regulations.....	2/2
Required Testing.....	5/8
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	1/1
- Heavy Metals.....	1/1
- Foreign Matter.....	0/1
- Moisture Content.....	0/1
Packaging and Labeling.....	1/3
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Pesticides.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/7
<b>Manufacturing Operations</b>	39/50
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Environmental Impact Regulations.....	3/3
Required Testing.....	5/10
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	0/1
- Heavy Metals.....	1/1
- Residual Solvents.....	1/1
- Homogeneity.....	0/1
- Foreign Matter.....	0/1
- Water Activity.....	0/1
Packaging and Product Labeling.....	4/5
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Ingredients.....	1/1
- Allergens.....	1/1
- Nutritional Content.....	1/1
Complaints, Adverse Event Reporting and Recall Protocol.....	0/5
<b>Dispensary Operations</b>	26/50
Staff Training.....	20/20
Standard Operating Procedures.....	6/7
- Facility Sanitation.....	0/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Product Testing.....	0/10
- Product Meets Requirements Before Sale.....	0/5
- COA Disclosure.....	0/5
Complaints, Adverse Event Reporting and Recall Protocol.....	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	32/50
Independent or Third-Party.....	5/5
Laboratory Sampling.....	0/5
Method Validation.....	2/4
Quality Management Systems.....	3/5
Staff Training.....	20/20
Standard Operating Procedures.....	2/7
- Facility and Equipment Sanitation.....	0/1
- Equipment and Instrument Calibration.....	0/1
- Workplace Safety.....	0/1
- Sample Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	0/1
- Records Management.....	0/1
Result Reporting.....	0/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use.....	20/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	0/15
Requires Vertical Integration.....	0/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	0/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

**Patient Feedback**

Patients surveyed in Massachusetts gave overall favorable reviews of the existing medical cannabis program. While some patients noticed no changes to the program since our last report, the majority of patients were happy to see changes. Most who saw improvements were extremely thankful for the COVID emergency measures and asked that they become permanent, others were happy to see more retailers across the state. Surveyed patients were mixed on whether there were enough retailers in the state, while most said there were enough or too few, some respondents thought there were too many. There were mixed feelings on the impact of adult use in Massachusetts. Some felt that the retail market was draining products from the medical side and that the regulators were deprioritizing patients and allowing overall quality to slip to get products to store shelves. Most respondents said that the cost of medicine was restrictive.

**Background**

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



MICHIGAN

2020-21 Improvements and Recommendations

At the moment, Michigan’s COVID emergency measures remain in place; they include curbside pickup and telehealth services for certifications and renewals. Michigan’s population of registered patients saw narrow growth of just over 2% in 2020-2021.

This year, the state of Michigan recalled about 64,000-pounds of cannabis products in November after customers complained of allergic reactions, chest pains, flu-like symptoms, and other negative health outcomes. All of the products recalled were tested by a single laboratory between August and November. After a second round of tests, 26% of the products recalled were found to contain levels of yeast and mold that would be dangerous for individuals with weak immune systems or lung conditions. 68% of the products that failed the second test were intended for medical cannabis patients. The laboratory that failed to competently test these products for dangerous adulterants and put patients in danger challenged the state in court and won. The judge presiding over the case ordered Michigan’s regulators to release the contaminated product back onto the market. Though the toxicity of the products will be recorded in the state product tracking system, patients have no way of viewing this system for themselves.

For 2022, Michigan lawmakers must abandon plans to restrict caregiver growing of cannabis. This is a critical policy for patients that allows them to keep the cost of their own treatments down, a right they have greatly benefited from for many years. Lawmakers and regulators should also look at other policies that make medical cannabis more affordable for patients like financial hardship waivers and discounts for administrative fees. The state must also prioritize codifying additional patient rights like employment and housing protections. Finally, regulators should review the state’s product recall processes to ensure there is an impartial recall laboratory run by the state, and that future recalls are not overly broad, pulling unaffected products from the shelf and creating a supply problem for patients.



BASE CATEGORIES POINTS: 452  
PENALTIES: 0  
POINT TOTAL: 452/700  
SCORE PERCENTAGE: 64.57%

241,216 Registered Patient Population  
2.42% of Total Population Represented by Patients  
291 Retail Locations Currently in Operation  
829 : 1 Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	80/100	<b>PROGRAM FUNCTIONALITY</b>	93/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	8/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	10/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	70/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	20/30		
Reciprocity	5/20		
<b>NEW! AFFORDABILITY</b>	50/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	59/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	10/25
Reasonable Registration Fees	20/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	5/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	7/10
Allows Multi-year Registrations	10/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	2/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	100/200
<b>Cultivation Operations</b>	18/50
Quality Management Systems	5/10
Staff Training	0/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	2/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7

<b>Manufacturing Operations</b>	35/50
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	2/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	3/3
Required Testing	8/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5

<b>Dispensary Operations</b>	7/50
Staff Training	0/20
Standard Operating Procedures	2/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	40/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4

<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Overall, patients surveyed in Michigan gave the program favorable reviews; however, they were mixed on whether the program had improved in the last year. Most saw no improvement, the smallest fraction thought access got worse, and some saw improvements. Those who saw improvements mainly cite more dispensaries as the cause. Those who felt access became more limited were frustrated that adult use products were getting priority over medical and had experienced product shortages on more than one occasion. Most respondents felt there are too few dispensaries while the minority say there are enough or too many. The majority of surveyed patients say that adult use has had a negative impact on access since important products are harder to find.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

The PFC program is approved by the MRA to provide Good Agricultural Practices (GAP) and Good Manufacturing Practices (GMP) certifications to cultivators and processors that are seeking to sell clones to dispensaries.



MINNESOTA

2020-21 Improvements and Recommendations

2021 was a busy year for cannabis in Minnesota. In May, Governor Walz signed a large omnibus bill that expanded the medical program. The bill makes the COVID emergency measure of curbside pickup permanent, and increases the number of plants a caregiver is allowed to grow at home from one to six. There are also some changes patients shouldn't expect to see right away.

The bill includes a provision with a deadline of March 1, 2022, for these policies to go into effect. By then, smokable forms of cannabis will be available to patients over the age of 21. There is one negative aspect of the bill, a provision which would allow for the removal of a condition from the qualifying list by state regulators if they received a petition.

In 2022, Minnesota legislators should focus on policies that will work to cut the financial burden of medicine for patients. First, registered patients and caregivers should be allowed to grow cannabis at home; this will immediately increase the supply of medicine with insignificant regulatory oversight. Second, the state must license more retailers and producers to meet the growing demand for products in the state. Preferably, the licenses will be open to apply any time and be granted on a rolling basis based on need. The state should also consider allowing for multiple year registrations and lowering its extremely prohibitive \$200 patient registration fee to \$50 permanently. Finally, the state should consider creating rules for retailers to deliver cannabis to patients.



BASE CATEGORIES POINTS:	346
PENALTIES:	0
POINT TOTAL:	346/700
SCORE PERCENTAGE:	49.43%

51,999	0.92%	13	3,999 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	90/100	PROGRAM FUNCTIONALITY	59/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	10/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	20/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	4/5
		- Background Checks	1/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	5/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	30/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	10/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	10/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	35/100	NEW! HEALTH AND SOCIAL EQUITY	57/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	10/25
Reasonable Registration Fees	0/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	15/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	7/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	75/200
Cultivation Operations	18/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	5/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
Manufacturing Operations	26/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
Dispensary Operations	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	31/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
NEW! SCORE PENALTIES	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**

Patients surveyed about Minnesota's medical cannabis program gave the program mixed reviews. Most reported that there was no noticeable change, while the minority saw some improvements. Those who thought the program improved said that more retailers and product variety were the reason. Patients were evenly split on whether there were enough or too few retailers in the state. Patients reported high costs, but most did not feel they were overwhelmingly prohibitive.

**Background**

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**Recommendations for Policy Makers and Regulators**

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MISSISSIPPI

2020-21 Improvements and Recommendations

In the 2020 November elections, Mississippi voters chose to create a medical cannabis program to serve its citizens in need through ballot initiative 65. Shortly after the initiative passed, the mayor of Madison, Mississippi filed a legal challenge arguing not that medical cannabis itself would be unconstitutional, but that petitioners had violated procedural rules in getting the initiative onto the ballot. In May 2021, the Mississippi Supreme Court sided with the challengers and nullified the will of Mississippi's people.

ASA encourages state lawmakers to listen to the constituents of Mississippi and initiate work focused on building a comprehensive medical cannabis program. Such a program should provide legal protections to patients related to employment, housing, education and family law. The system should also authorize an in-state production system for lab-tested medical cannabis and cannabis products that can be made available to patients at legal retailers. ASA also recommends that lawmakers authorize patients and caregivers to cultivate cannabis at home to reduce costs to patients. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Home and small-scale cultivation would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	91
PENALTIES:	-40
POINT TOTAL:	51/700
SCORE PERCENTAGE:	7.29%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	20/100	<b>PROGRAM FUNCTIONALITY</b>	20/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	0/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	2/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	2/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	40/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	11/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	1/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	5/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	40/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	5/5

**Patient Feedback**  
No survey responses were recorded from the patients of Mississippi.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

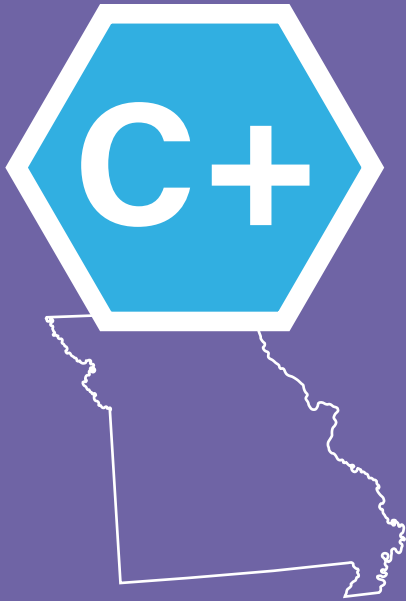
**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

MISSOURI

2020-21 Improvements and Recommendations

Despite the approval of Amendment 2 in the 2018 election, Missouri regulators and industry have been slow to fully implement the program. At the beginning of 2021, roughly 260 of the 370 cannabis entities awarded operating licenses required an extension because they were unable to open within one year of receiving their license. However, despite this delay, the program is beginning to operate in full swing. Regulators report more businesses are opening, which not only ensures that patients have access to a dispensary, but also that the cost of medicine is going down while product selection and availability increase.

In the upcoming legislative session, Missouri lawmakers should prioritize individual patient rights like DUID protections, employment protections, and housing protections for individuals complying with the law. Lawmakers should also focus on policies that would make medical cannabis and the associated costs, like registration, more affordable for people in the state. ASA recommends ending the patient registration fee, or at the very least, instituting financial hardship waivers and discounts to ensure that any patient in the state can access the medicine they need, regardless of their ability to pay for bureaucratic processes.



BASE CATEGORIES POINTS:	456
PENALTIES:	0
POINT TOTAL:	456/700
SCORE PERCENTAGE:	65.14%

68,222	1.11%	3	22,740 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<div></div> <b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b> 60/100		<div></div> <b>PROGRAM FUNCTIONALITY</b> 83/100	
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	10/20
Affirmative Defense.....	20/20	Reasonable Possession Limits.....	10/10
Parental Rights Protections.....	10/20	Reasonable Purchase Limits.....	8/10
Employment Protections.....	0/20	Telemedicine for Physician Certification.....	15/15
DUI Protections.....	0/10	Patient and Physician Representation in Program Decision Making ..	20/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	5/5
		- Background Checks.....	2/2
		- Number of Caregivers.....	3/3
		Reasonable Physician Standards.....	5/5
		Access to Administration Methods.....	10/10
		- Allows Dried Flower.....	5/5
		- Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	0/5
<div></div> <b>ACCESS TO MEDICINE</b> 65/100			
Authorizes Retail Access.....	10/10		
Alternative Accessibility Methods.....	10/20		
- Authorizes Delivery.....	10/10		
- Authorizes Curbside Pickup.....	0/10		
Personal Cultivation.....	15/15		
Collective Gardening.....	0/5		
Sufficient Number of Licensed Retailers.....	30/30		
Reciprocity.....	0/20		
<div></div> <b>NEW! AFFORDABILITY</b> 40/100		<div></div> <b>NEW! HEALTH AND SOCIAL EQUITY</b> 60/100	
Sales Tax Break for Patients and Caregivers.....	20/20	State Program Protections.....	25/25
Covered by State Insurance or Health Aid.....	0/20	Housing Protections.....	0/25
Reasonable Registration Fees.....	20/20	Access for Minors.....	10/10
Financial Hardship Waivers or Discounts.....	0/20	Access in Underserved Areas.....	5/10
Donation Program.....	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive.....	10/10
Allows Multi-year Registrations.....	0/10	Allows Patients to Medicate Where They Choose.....	0/10
		Organ Transplants.....	5/5
		Ownership or Employment Restrictions.....	5/5

ISSUE	POINTS
<div></div> <b>CONSUMER PROTECTION AND PRODUCT SAFETY</b> 148/200	
<b>Cultivation Operations</b> 36/50	
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	5/8
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	0/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Water Management.....	0/1
- Records Management.....	0/1
Pesticide Usage Limitations.....	0/2
Environmental Impact Regulations.....	0/2
Required Testing.....	7/8
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	1/1
- Heavy Metals.....	1/1
- Foreign Matter.....	1/1
- Moisture Content.....	1/1
Packaging and Labeling.....	1/3
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Pesticides.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/7
<b>Manufacturing Operations</b> 38/50	
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	5/7
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	0/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	0/1
Environmental Impact Regulations.....	0/3
Required Testing.....	8/10
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	1/1
- Pesticides.....	1/1
- Heavy Metals.....	1/1
- Residual Solvents.....	1/1
- Homogeneity.....	0/1
- Foreign Matter.....	1/1
- Water Activity.....	1/1
Packaging and Product Labeling.....	2/5
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Ingredients.....	1/1
- Allergens.....	0/1
- Nutritional Content.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	3/5
<b>Dispensary Operations</b> 29/50	
Staff Training.....	20/20
Standard Operating Procedures.....	4/7
- Facility Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	0/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	0/1
- Records Management.....	0/1
Product Testing.....	5/10
- Product Meets Requirements Before Sale.....	5/5
- COA Disclosure.....	0/5
Complaints, Adverse Event Reporting and Recall Protocol.....	0/13

ISSUE	POINTS
<b>Laboratory Operations</b> 45/50	
Independent or Third-Party.....	5/5
Laboratory Sampling.....	5/5
Method Validation.....	4/4
Quality Management Systems.....	10/5
Staff Training.....	10/20
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Equipment and Instrument Calibration.....	1/1
- Workplace Safety.....	1/1
- Sample Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Result Reporting.....	4/4
<div></div> <b>NEW! SCORE PENALTIES</b> 0/100	
Gives Regulatory Preference to Adult Use.....	0/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	0/15
Requires Vertical Integration.....	0/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	0/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

**Patient Feedback**

While the majority of patients surveyed in Missouri gave the program unfavorable reviews, they also acknowledged that the program was getting on its feet and noted that access has improved in the last year. The primary reason patients aren't currently satisfied are prohibitive costs, which the wide majority of patients reported experiencing.

**Background**

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

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MONTANA

2020-21 Improvements and Recommendations

Montana voters chose to pass a ballot initiative in the 2020 election which would legalize cannabis possession for all adults over 21. Governor Gianforte signed HB 701 into law in May 2021, the bill set the rules and regulations for the state's retail market set to open at the beginning of 2022. The new retail market will rely on existing medical producers until new licenses are issued. Montana was extremely conservative in granting production licenses to medical operators; dispensaries already report product shortages in just serving the medical market. When the recreational consumers hit the stores, patients can expect to be competing with them directly for medicine.

In 2022, ASA recommends that Montana legislators expand the protections provided under the law for patients. There must be explicit language in state law to keep employers from wrongfully discriminating against medical cannabis patients. Patients should not face discriminatory roadside sobriety testing. Being a medical cannabis patient should not be grounds for the denial of housing or eviction so Montana legislators must codify language that prevents landlords from doing so. Finally, parental rights of any kind should not be denied based on a person's status as a patient, so state legislators must create specific legal language to protect them.



BASE CATEGORIES POINTS:	352
PENALTIES:	-15
POINT TOTAL:	337/700
SCORE PERCENTAGE:	48.14%

40,801	3.82%	355	98 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	51/100
Arrest Protection.....	25/25	Legal Protections Within Reasonable Time Frame.....	20/20
Affirmative Defense.....	20/20	Reasonable Possession Limits.....	5/10
Parental Rights Protections.....	0/20	Reasonable Purchase Limits.....	10/10
Employment Protections.....	0/20	Telemedicine for Physician Certification.....	0/15
DUI Protections.....	0/10	Patient and Physician Representation in Program Decision Making ..	0/20
Explicit Privacy Standards.....	5/5	Reasonable Caregiver Standards.....	3/5
		- Background Checks.....	0/2
		- Number of Caregivers.....	3/3
		Reasonable Physician Standards.....	3/5
		Access to Administration Methods.....	10/10
		- Allows Dried Flower.....	5/5
		- Allows Edibles, Concentrates, and Other Forms.....	5/5
		Provides Access to Minors on School Grounds.....	0/5
<b>ACCESS TO MEDICINE</b>	80/100		
Authorizes Retail Access.....	10/10		
Alternative Accessibility Methods.....	20/20		
- Authorizes Delivery.....	10/10		
- Authorizes Curbside Pickup.....	10/10		
Personal Cultivation.....	15/15		
Collective Gardening.....	0/5		
Sufficient Number of Licensed Retailers.....	15/30		
Reciprocity.....	20/20		
<b>NEW! AFFORDABILITY</b>	40/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	39/100
Sales Tax Break for Patients and Caregivers.....	20/20	State Program Protections.....	25/25
Covered by State Insurance or Health Aid.....	0/20	Housing Protections.....	0/25
Reasonable Registration Fees.....	20/20	Access for Minors.....	5/10
Financial Hardship Waivers or Discounts.....	0/20	Access in Underserved Areas.....	0/10
Donation Program.....	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive.....	9/10
Allows Multi-year Registrations.....	0/10	Allows Patients to Medicate Where They Choose.....	0/10
		Organ Transplants.....	0/5
		Ownership or Employment Restrictions.....	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	92/200
<b>Cultivation Operations</b>	14/50
Quality Management Systems.....	0/10
Staff Training.....	0/10
Standard Operating Procedures.....	7/8
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Water Management.....	1/1
- Records Management.....	0/1
Pesticide Usage Limitations.....	1/2
Environmental Impact Regulations.....	0/2
Required Testing.....	5/8
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	0/1
- Pesticides.....	1/1
- Heavy Metals.....	0/1
- Foreign Matter.....	1/1
- Moisture Content.....	1/1
Packaging and Labeling.....	1/3
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Pesticides.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	0/7
<b>Manufacturing Operations</b>	33/50
Quality Management Systems.....	10/10
Staff Training.....	10/10
Standard Operating Procedures.....	6/7
- Facility and Equipment Sanitation.....	1/1
- Workplace Safety.....	1/1
- Storage.....	1/1
- Batch and Lot Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	0/1
Environmental Impact Regulations.....	0/3
Required Testing.....	4/10
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Microbials.....	1/1
- Aflatoxins.....	0/1
- Pesticides.....	1/1
- Heavy Metals.....	0/1
- Residual Solvents.....	1/1
- Homogeneity.....	0/1
- Foreign Matter.....	0/1
- Water Activity.....	0/1
Packaging and Product Labeling.....	3/5
- Cannabinoids.....	1/1
- Terpenes.....	0/1
- Ingredients.....	1/1
- Allergens.....	1/1
- Nutritional Content.....	0/1
Complaints, Adverse Event Reporting and Recall Protocol.....	0/5
<b>Dispensary Operations</b>	6/50
Staff Training.....	0/20
Standard Operating Procedures.....	1/7
- Facility Sanitation.....	0/1
- Workplace Safety.....	0/1
- Storage.....	0/1
- Batch and Lot Tracking.....	0/1
- Security.....	1/1
- Waste Disposal.....	0/1
- Records Management.....	0/1
Product Testing.....	5/10
- Product Meets Requirements Before Sale.....	5/5
- COA Disclosure.....	0/5
Complaints, Adverse Event Reporting and Recall Protocol.....	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	39/50
Independent or Third-Party.....	0/5
Laboratory Sampling.....	3/5
Method Validation.....	4/4
Quality Management Systems.....	5/5
Staff Training.....	20/20
Standard Operating Procedures.....	7/7
- Facility and Equipment Sanitation.....	1/1
- Equipment and Instrument Calibration.....	1/1
- Workplace Safety.....	1/1
- Sample Tracking.....	1/1
- Security.....	1/1
- Waste Disposal.....	1/1
- Records Management.....	1/1
Result Reporting.....	0/4
<b>NEW! SCORE PENALTIES</b>	15/100
Gives Regulatory Preference to Adult Use.....	0/20
Classifies Cannabis as a Medicine of Last Resort.....	0/15
Administrative or Supply Problems.....	0/15
Requires Vertical Integration.....	10/10
Creates New Criminal Penalties for Patients.....	0/10
Limits Patients to a Single Retailer.....	0/10
No System for Adding Qualifying Conditions.....	5/10
Imposes Bans or Limits on THC.....	0/5
Imposes Bans or Limits on CBD.....	0/5

Patient Feedback

Patients surveyed in Montana were lukewarm on their feelings about the medical cannabis program and felt it had done little to improve in the past year. The impact of adult use has been negative even before it is available to consumers thanks to the implementation of new tax rules that can be levied by local governments on adult use and medical products alike. On top of existing state taxes, this has contributed to increasing costs in an already costly program.

Background

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Recommendations for Policy Makers and Regulators

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NEBRASKA

2020-21 Improvements and Recommendations

Nebraska remains one of two states with no medical cannabis access as legislative efforts to create an access program failed in the face of a filibuster by prohibitionists. ASA encourages Nebraska lawmakers to engage with patients and medical cannabis advocacy organizations to build a safe and legal access model for patients in 2022. Legislators should seek to cover patients with a diversity of health conditions through significant expansion of the state’s list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in Nebraska should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	0
PENALTIES:	0
POINT TOTAL:	0/700
SCORE PERCENTAGE:	0%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	0/100	<b>PROGRAM FUNCTIONALITY</b>	0/100
Arrest Protection	0/25	Legal Protections Within Reasonable Time Frame	0/20
Affirmative Defense	0/20	Reasonable Possession Limits	0/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	0/5
		Access to Administration Methods	0/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	0/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	0/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	0/100
Authorizes Retail Access	0/10	State Program Protections	0/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	0/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	0/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	0/5
Reciprocity	0/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	0/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	0/20		
Financial Hardship Waivers or Discounts	0/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Nebraska reported their continued frustrations with their state’s comprehensive lack of access.

**Background**  
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**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
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NEVADA

2020-21 Improvements and Recommendations

In the 2020 legislative session, Nevada lawmakers passed AB341 which, among other legal reforms, called for the creation of a new committee made up of patients and industry stakeholders that would weigh in on regulatory affairs. In July 2020, the first meeting of Nevada’s new Cannabis Advisory Committee was held. The committee will break into several subcommittees that will approach different regulatory issues faced by Nevada’s cannabis program including Social Equity, Diversity, and Inclusion, Public Health, Public Safety, and Market Stability.

Per Governor Steve Sisolak’s Emergency Directive #044, decisions on COVID-19 mitigation measures transitioned to local authority on May 1, 2021. In May, Governor Sisolak signed a bill making curbside pickup permanent. An additional COVID emergency measure where regulators had extended all patient registrations through June 2021 was not renewed.

In 2022, Nevada lawmakers looking to improve their grade should focus on expanding the protections the state provides to patients to cover housing and parental rights. The new Cannabis Advisory Committee should also move to abolish the qualifying condition list, instead allowing medical cannabis to be recommended for any condition.



BASE CATEGORIES POINTS:	488
PENALTIES:	0
POINT TOTAL:	488/700
SCORE PERCENTAGE:	69.71%

14,633	0.48%	68	215 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	70/100	PROGRAM FUNCTIONALITY	71/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	80/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	5/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	25/30		
Reciprocity	20/20		
NEW! AFFORDABILITY	60/100	NEW! HEALTH AND SOCIAL EQUITY	39/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	10/20	Access in Underserved Areas	1/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	10/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	168/200
Cultivation Operations	40/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	1/2
Required Testing	8/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	3/3
- Cannabinoids	1/1
- Terpenes	1/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	42/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	1/3
Required Testing	10/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	1/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	36/50
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	10/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	50/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
NEW! SCORE PENALTIES	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Nevada gave the medical program a favorable rating. A majority of patients felt there had been no substantial change in the past year, while a minority said they saw improvements to access thanks to more retailers. Most patients in Nevada feel that adult use has affected the program negatively due to higher prices, more limited product availability, and lower purchasing limits. Nevada patients report prohibitive costs of medicine.

**Background**  
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**Recommendations for Policy Makers and Regulators**  
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# NEW HAMPSHIRE

## 2020-21 Improvements and Recommendations

New Hampshire's state house passed a bill that would allow patients to grow up to six plants at home; however, the bill failed to clear the senate. HB 89 went into effect June 24, 2021 and will add autism spectrum disorder and moderate to severe insomnia to the list of qualifying conditions.

New Hampshire's registry added about 2,300 new patients and finally broke the 10,000-patient milestone in 2021.

ASA recommends that New Hampshire's legislature act expediently to address the insufficient retail access across the state by allowing more retailers and producers to be licensed to operate. Lawmakers should also continue their efforts to allow "homegrow" for patients and caregivers to make up for the state's inadequate retail access. Legislators should also look to cover the gaps in legal protections by expanding patient legal protections in employment and housing discrimination.



BASE CATEGORIES POINTS:	336
PENALTIES:	-15
POINT TOTAL:	321/700
SCORE PERCENTAGE:	45.86%

10,688	0.79%	4	2,672 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	75/100	<b>PROGRAM FUNCTIONALITY</b>	68/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	5/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	5/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	2/5
		- Background Checks	0/2
		- Number of Caregivers	2/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	20/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	49/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	10/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	5/5
Reciprocity	10/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	40/100		
Sales Tax Break for Patients and Caregivers	20/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	0/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	84/200
<b>Cultivation Operations</b>	27/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	37/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	5/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	0/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	13/50
Staff Training	0/20
Standard Operating Procedures	6/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	7/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	2/4
<b>NEW! SCORE PENALTIES</b>	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	5/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**

Patients surveyed in New Hampshire gave the state mixed reviews, while a narrow majority were favorable, the unfavorable ratings were harsh. All New Hampshire patients surveyed said that they noticed no change or that access had become more limited due to COVID. Every patient surveyed agreed that New Hampshire does not have enough dispensaries. Patients in New Hampshire unanimously agreed that costs of medicine were high or even prohibitive.

**Background**

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**Recommendations for Policy Makers and Regulators**

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NEW JERSEY

2020-21 Improvements and Recommendations

After several years of failed attempts to legalize cannabis to all adults over 21, the New Jersey Legislature voted with a supermajority to pass the decision onto voters through a referendum on the 2020 ballot. Over 2/3 of voters in New Jersey approved the initiative which amends the state constitution that will allow adults across the state to possess up to six ounces of dried flower. Legislators spent the early months of 2021 drafting legislation to satisfy the demands of the new constitutional language. By the end of February Governor Murphy signed A5342 into law which would create the retail program that voters desired.

In June, Governor Murphy signed a bill that would extend the practical application of telehealth to doctors recommending patients medical cannabis. The legislation set the measure to expire 270 days after it became enrolled as law on June 24th.

2021 was a year of exceptional growth for New Jersey’s patient population, with over 40,000 new patients added to the registry. This was accompanied by a significant and ongoing expansion to New Jersey’s retail access from 9 to 22 dispensaries.

For 2022, ASA recommends that New Jersey shift their focus from adult use legalization to cover the existing gaps in their legal protections for patients. Patients must be protected in family court and child custody hearings, in housing, and from discriminatory roadside sobriety tests. Finally, New Jersey is one of only two states where adults are allowed to buy cannabis at a dispensary but are not allowed to grow it at home. Ideally, any adult should be allowed to grow cannabis at home, but at the very least legislators should work towards allowing patients and caregivers to grow with a special permit.



BASE CATEGORIES POINTS:	473
PENALTIES:	-20
POINT TOTAL:	453/700
SCORE PERCENTAGE:	64.71%

117,734	1.33%	22	5,351 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	70/100	<b>PROGRAM FUNCTIONALITY</b>	76/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	5/10
Employment Protections	0/20	Telemedicine for Physician Certification	8/15
DUI Protections	20/10	Patient and Physician Representation in Program Decision Making	15/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	2/5
		- Background Checks	0/2
		- Number of Caregivers	2/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	55/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	5/30		
Reciprocity	20/20		
<b>NEW! AFFORDABILITY</b>	63/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	58/100
Sales Tax Break for Patients and Caregivers	16/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	7/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	8/10
Financial Hardship Waivers or Discounts	10/20	Access in Underserved Areas	2/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Allows Multi-year Registrations	10/10	Allows Patients to Medicate Where They Choose	4/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	5/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	151/200
<b>Cultivation Operations</b>	41/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	8/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	2/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	41/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	3/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	34/50
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	35/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients in New Jersey did not give the program favorable ratings; however, they were split evenly on whether or not they saw improvements in the cannabis program in the past year. Those who felt there were improvements cited more retailers and less wait time as the reasons. Patients in New Jersey felt overall positive about the new adult use laws but thought it was too early to measure the impact. Patients also reported high to prohibitive costs of medicine and expressed hopes that the new adult use laws would bring down cost.

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Recommendations for Policy Makers and Regulators

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NEW MEXICO

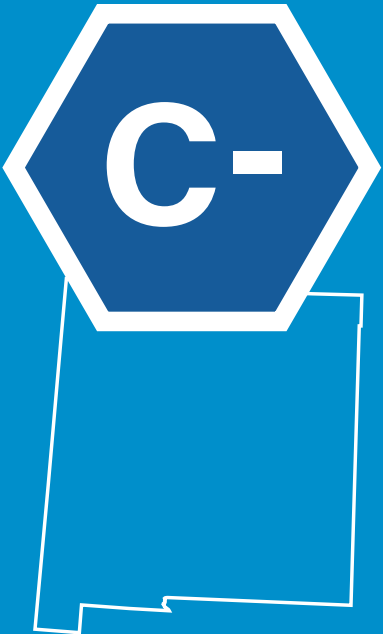
2020-21 Improvements and Recommendations

Legislators in New Mexico passed HB 2 in early 2021. The bill legalizes cannabis for all adults over 21, allows cultivation of up to six plants at home, and establishes a system for retail access. Governor Grisham signed the legislation, which was a priority for her administration, in April 2021. The effects of the legislation will roll out in stages with legal penalties concerning possession and cultivation for adults disappearing first in June. The commission will begin the licensing process in September and is required to conclude it by the beginning of 2022 with sales to begin a year after the legislation was signed in April.

The tight four-month turnaround has left many in the state concerned about the new companies' ability to become operational by that time. Anticipating this crisis, regulators in New Mexico have extended the capacity of plants allowed to be grown by producers. Regardless of the production increases, patients in New Mexico should expect product shortages through most of 2022 as production races to catch up with consumption.

In May, a New Mexico judge ruled that the state was unfairly denying too many patients medical cannabis cards in a manner that was inconsistent with existing law. After the judge's decision and subsequent action by the state, New Mexico saw substantial growth in its patient population in 2020-2021. With over 40,000 new enrollments, the state passed the 100,000-patient threshold. This substantial expansion to the patient population was already straining the state's production capacity, the addition of the state's adult population is likely to negatively impact patients.

New Mexico's regulators have a storm on their hands. The flood of new customers that adult use retail will bring on top of the existing medical market is likely to cripple supply. Regulators should take steps to ensure that a separate supply of patient products is made available exclusively to patients, especially on products like RSOs which more sensitive patients rely on. Beyond that, New Mexico's lawmakers must take steps to ensure that patients have protections from housing discrimination and DUI charges.



BASE CATEGORIES POINTS:	463
PENALTIES:	-50
POINT TOTAL:	413/700
SCORE PERCENTAGE:	59%

129,248	6.16%	117	1,104 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	86/100	<b>PROGRAM FUNCTIONALITY</b>	71/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	16/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	4/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	3/5
<b>ACCESS TO MEDICINE</b>	78/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	53/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	20/20	Housing Protections	0/25
- Authorizes Delivery	10/10	Access for Minors	9/10
- Authorizes Curbside Pickup	10/10	Access in Underserved Areas	5/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Collective Gardening	3/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	10/30	Organ Transplants	5/5
Reciprocity	20/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	61/100		
Sales Tax Break for Patients and Caregivers	16/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	5/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	114/200
<b>Cultivation Operations</b>	38/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	5/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7

<b>Manufacturing Operations</b>	38/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	4/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	7/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5

<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	38/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	2/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4

<b>NEW! SCORE PENALTIES</b>	50/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	10/10
Creates New Criminal Penalties for Patients	5/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients in New Mexico gave their medical cannabis program favorable ratings, and most noted that access had improved in the past year. Reasons given for why they felt access had improved included a wider selection of products and more availability in general, as well as the new adult use laws allowing homegrown cannabis without the prohibitive plant tag fees. Patients in New Mexico had a positive outlook on the new adult use laws but noted that it was too early to know if it would affect them negatively. Patients reported prohibitive costs.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](https://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



NEW YORK

2020-21 Improvements and Recommendations

New York’s legislature legalized cannabis for all adults over 21 by passing A.1248 which was promptly signed by Governor Cuomo in March 2021. While the bill is focused on the retail market, there are some provisions included which should improve functionality for patients by expanding the list of qualified conditions, increasing the number of caregivers each patient may have, placing explicit workplace protections preventing unlawful discrimination from cannabis use, and allowing for patients to grow up to 3 mature cannabis plants at home. The bill also focuses heavily on social justice reforms like automatic criminal records expungement for past cannabis related offenses, as well as a social and economic equity licensing program.

In October 2021, New York’s Department of Labor issued guidance saying that employers cannot drug test most workers for marijuana—going so far as to say the odor of cannabis cannot be used to prove impairment on the job. The Cannabis Control Board of NY voted on Oct. 5th to allow dried flower sales in the state’s medical cannabis dispensaries. They also voted to double every patient’s purchase limit from a 30-day supply to a 60-day supply.

With about 30,000 new registrations in 2020-2021, New York’s medical cannabis registry continued to see steady growth. Unfortunately, the inefficient vertically integrated system of production with high barriers to entry did not grow alongside patient demand. ASA recommends that New York’s legislators remove the rule requiring operators to be vertically integrated and work to expand medical product manufacturing and retail access for medical cannabis patients by licensing new operators to produce both medical and adult use products. The Empire state also has some gaps in its protections of civil rights that need to be covered. Patients must be protected as if they were taking any other medication when it comes to organ transplants and roadside sobriety tests. Patients must also be protected from discrimination in housing as well as in family court and child custody hearings. Finally, New York must take great efforts to improve the product testing and safety standards for their products as the state scored only 27.5% of the points possible in this category.



BASE CATEGORIES POINTS:	304
PENALTIES:	-9
POINT TOTAL:	295/700
SCORE PERCENTAGE:	42.14%

151,111	0.78%	38	3,977 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	70/100	<b>PROGRAM FUNCTIONALITY</b>	70/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	1/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	3/5
<b>ACCESS TO MEDICINE</b>	25/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	15/20		
- Authorizes Delivery	5/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	43/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	41/100
Sales Tax Break for Patients and Caregivers	5/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	18/20	Access for Minors	8/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	55/200
<b>Cultivation Operations</b>	7/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	2/7
<b>Manufacturing Operations</b>	12/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	5/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	1/5
<b>Dispensary Operations</b>	3/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	3/13

ISSUE	POINTS
<b>Laboratory Operations</b>	33/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	0/1
- Sample Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	9/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	2/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	7/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in New York gave the medical cannabis program relatively unfavorable ratings. Most noticed no substantial changes to the program, while a minority saw improvement thanks to the availability of flower. The overwhelming majority of patients agree that there are not enough dispensaries in the state. While most have not experienced any impact from New York’s new adult use laws, some are happy that they are free to use their medicine anywhere a cigarette would be allowed. All patients surveyed agreed that the cost of medicine was either too high or entirely prohibitive.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](https://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

The PFC program has been approved by the [NY Cannabinoid Hemp Program](#) to provide Good Manufacturing Practices (GMP) certification to processors. This certification is required for all processors selling CBD products in New York.

# NORTH CAROLINA

## 2020-21 Improvements and Recommendations

Another year has gone by with North Carolina lawmakers having done nothing to improve medical cannabis access for their constituents. While a bipartisan bill to establish a medical cannabis access program has been debated by state legislators in North Carolina, it has yet to pass.

If lawmakers wish to continue their efforts in 2022, they can start by removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. Legislators should also seek to cover patients with a diversity of health conditions through significant expansion of the state's list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in North Carolina should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS: 107  
PENALTIES: -45  
POINT TOTAL: 62/700  
SCORE PERCENTAGE: 8.86%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	31/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	0/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	3/5
<b>ACCESS TO MEDICINE</b>	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	20/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	6/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	5/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	1/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	45/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in North Carolina were frustrated with a continued lack of proper medical cannabis access; they gave the lack of a program very negative reviews.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



NORTH DAKOTA

2020-21 Improvements and Recommendations

2021 was a year of growth for North Dakota’s patient registry as the population more than doubled over the number cited in our last report. Despite the growth, patients in North Dakota complained that a shortage of doctors willing to recommend cannabis has made access to the program difficult. The first of two pieces of legislation on medical cannabis that went into effect in 2021 may help the problem. HB 1213 which made some language changes to some statutory definitions, most notably making it easier to establish a “bona fide” relationship to receive a recommendation for medical cannabis from a medical provider. The bill also made a modification to the application fees for cannabis businesses by replacing a set fee with “fee not to exceed”. This is a move that could signal the state is willing to license more cannabis businesses which ASA would highly recommend; eight retailers is simply not adequate for a state the size of North Dakota and as the program continues to grow, it is likely to become an issue.

HB 1359 was the second piece of North Dakota legislation to go into effect in 2021. It made some minor rule changes for caregivers; raising the cap on the number of patients each caregiver may serve, as well as eliminating the application fee, and in some cases the background check. The bill also included a provision to expand the membership of the Medical Marijuana Advisory Board to include physicians and patients, though these new positions have yet to be filled.

In 2022, ASA recommends that lawmakers In South Dakota prioritize improving access to cannabis - a category where the state only scored 10% of available points. The state can do this by passing a law that would recognize out of state patient registrations, allow home cultivation for patients and caregivers, and give licensed retailers the option to offer delivery and curbside pickup.



BASE CATEGORIES POINTS:	258
PENALTIES:	-17
POINT TOTAL:	241/700
SCORE PERCENTAGE:	34.43%

6,895	.9%	8	861 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	40/100	<b>PROGRAM FUNCTIONALITY</b>	60/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	10/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	7/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	10/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
<b>ACCESS TO MEDICINE</b>	10/100	Reasonable Physician Standards	5/5
Authorizes Retail Access	10/10	Access to Administration Methods	9/10
Alternative Accessibility Methods	0/20	- Allows Dried Flower	5/5
- Authorizes Delivery	0/10	- Allows Edibles, Concentrates, and Other Forms	4/5
- Authorizes Curbside Pickup	0/10	Provides Access to Minors on School Grounds	0/5
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	43/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	37/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	18/20	Access for Minors	7/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Allows Multi-year Registrations	5/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	68/200
<b>Cultivation Operations</b>	17/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	5/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7

<b>Manufacturing Operations</b>	28/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	7/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	1/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5

<b>Dispensary Operations</b>	18/50
Staff Training	0/20
Standard Operating Procedures	6/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	5/50
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4

<b>NEW! SCORE PENALTIES</b>	17/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	5/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	10/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	2/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in North Dakota noticed no change or felt cannabis access has become more limited thanks to unreasonable costs and not enough doctors making recommendations.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

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PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



OHIO

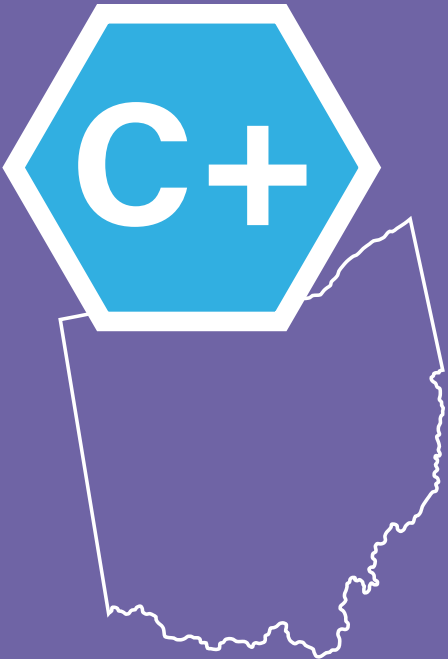
2020-21 Improvements and Recommendations

In the 2021 legislative session, Ohio lawmakers introduced a bill that is the state's first effort to legalize cannabis for all adults over 21. The bill is unlikely to clear the hurdle posed by the GOP lead house; but activists and industry stakeholders are not leaving it up to legislators. Instead, a petition has been submitted to the state requesting that a measure to legalize cannabis for all adults be placed on the 2021 ballot. Though things have not changed at the moment, Ohio's regulators are considering the licensing of up to 100 new dispensaries to better serve patients' needs across the state. As it stands with only 58 active retail locations and over 200,000 patients, Ohio has one of the worst patient-to-retail ratios in the country leaving some patients with commutes of over 100 miles.

Ohio saw the most modest growth among all states that didn't lose patients overall. With just a net of 311 added patient registrations over some 125,000 existing patients, the growth was hardly noticeable compared to what many states experienced during the COVID pandemic.

The Statewide declaration of emergency on COVID ended in June 2020, three months later the Board of Pharmacy voted to remove the emergency measures for cannabis telehealth recommendations and enforce in person visits again. Just another month later, this decision was reversed in favor of extending telehealth coverage through at least December 2021. When December came, the Board of Pharmacy voted to increase the 90-day allotment of cannabis to 9 ounces of dried flower. The new rules will throw out the previous convoluted and confusing rules which assigned allotment values to products based on THC content.

In 2022, ASA recommends that Ohio lawmakers address the shortcomings in their program. This would include protecting employment for patients, and allowing for homegrow, reciprocity for out of state patients, and delivery.



BASE CATEGORIES POINTS:	468
PENALTIES:	0
POINT TOTAL:	468/700
SCORE PERCENTAGE:	66.86%

125,398	1.07%	56	2,239 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	<b>63/100</b>	<b>PROGRAM FUNCTIONALITY</b>	<b>87/100</b>
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	13/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	2/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	3/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
<b>ACCESS TO MEDICINE</b>	<b>30/100</b>	Reasonable Physician Standards	3/5
Authorizes Retail Access	10/10	Access to Administration Methods	10/10
Alternative Accessibility Methods	10/20	- Allows Dried Flower	5/5
- Authorizes Delivery	0/10	- Allows Edibles, Concentrates, and Other Forms	5/5
- Authorizes Curbside Pickup	10/10	Provides Access to Minors on School Grounds	0/5
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	10/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	<b>49/100</b>	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	<b>90/100</b>
Sales Tax Break for Patients and Caregivers	15/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	25/25
Reasonable Registration Fees	14/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	9/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	8/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	1/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	<b>149/200</b>
<b>Cultivation Operations</b>	<b>26/50</b>
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	7/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7

<b>Manufacturing Operations</b>	<b>37/50</b>
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	1/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5

<b>Dispensary Operations</b>	<b>41/50</b>
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	10/13

ISSUE	POINTS
<b>Laboratory Operations</b>	<b>45/50</b>
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4

<b>NEW! SCORE PENALTIES</b>	<b>0/100</b>
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed on the quality of the medical cannabis program in Ohio gave mixed reviews. A majority of those surveyed noticed no improvements to access in the past year, but a minority believed that access had improved thanks to more retailers. Most surveyed patients believe there are not enough dispensaries in Ohio, while a few thought there are an appropriate amount. Patients in Ohio unanimously agreed that the price of cannabis is too high or even prohibitive.

Background

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Recommendations for Policy Makers and Regulators

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OKLAHOMA

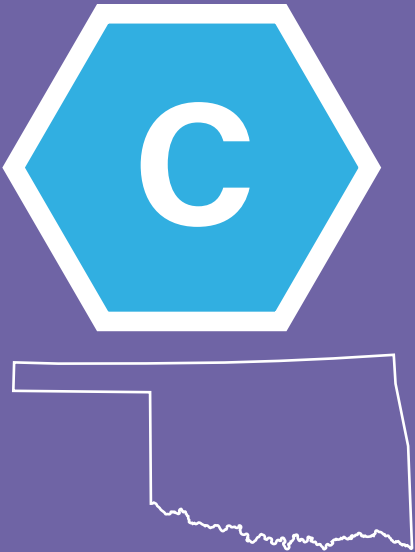
2020-21 Improvements and Recommendations

The medical cannabis boom in Oklahoma continued even through the COVID pandemic. In the time since our last report, Oklahoma has added 305 new retail locations where patients can access their medicine. Though this only represents an under 15% increase in the total retail establishments, just the new locations added in 2020-2021 add up to more than the most states will even allow to operate.

In February, state legislators passed House Bills 2022 and 2023. HB 2022 expands access for visiting patients by opening the nonresidential temporary licenses to patients from all 50 states and extends the period before they expire from 30 days to two years. Nonresidents applying for these licenses will still have to pay a \$100 fee. House Bill 2023 would allow cannabis businesses to transfer their license in the event that there is a change in ownership.

Oklahoma’s sizable patient population saw modest but continued growth in 2020-2021 adding just under 50,000 new patients for an almost 15% increase overall. Oklahoma continues to lead the nation in patient population as a proportion of overall population with almost 1 in every 10 adults in Oklahoma enrolled in the registry.

While Oklahoma has proven its capability to grow the program beyond the means of any other state, there are still gaps to be filled to ensure safe access for patients. First, Oklahoma scored only 42% of the points possible in our Consumer Protection and Product Safety category which means there is significant room for improvement in making products safer for patients. Oklahoma legislators should also ensure that patients are protected from losing their welfare access due to the positive results of a state required drug test to obtain the benefits. Patients should be protected against discriminatory field sobriety tests. Finally, allowing retailers to deliver to patients would also be a welcome improvement for access.



BASE CATEGORIES POINTS: 436  
PENALTIES: 0  
POINT TOTAL: 436/700  
SCORE PERCENTAGE: 62.29%

385,500

Registered Patient Population

9.72%

of Total Population Represented by Patients

2,519

Retail Locations Currently in Operation

153 : 1

Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<div><div></div><div>PATIENT RIGHTS AND CIVIL PROTECTIONS</div></div>	88/100	<div><div></div><div>PROGRAM FUNCTIONALITY</div></div>	74/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	5/20
Explicit Privacy Standards	3/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<div><div></div><div>ACCESS TO MEDICINE</div></div>	80/100	<div><div></div><div>NEW! HEALTH AND SOCIAL EQUITY</div></div>	70/100
Authorizes Retail Access	10/10	State Program Protections	0/25
Alternative Accessibility Methods	10/20	Housing Protections	25/25
- Authorizes Delivery	0/10	Access for Minors	5/10
- Authorizes Curbside Pickup	10/10	Access in Underserved Areas	10/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	10/10
Sufficient Number of Licensed Retailers	30/30	Organ Transplants	5/5
Reciprocity	15/20	Ownership or Employment Restrictions	5/5
<div><div></div><div>NEW! AFFORDABILITY</div></div>	40/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	10/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	10/10		

ISSUE	POINTS
<div><div></div><div>CONSUMER PROTECTION AND PRODUCT SAFETY</div></div>	84/200
<div><div></div><div>Cultivation Operations</div></div>	15/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	8/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	1/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<div><div></div><div>Manufacturing Operations</div></div>	17/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	9/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	1/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<div><div></div><div>Dispensary Operations</div></div>	14/50
Staff Training	0/20
Standard Operating Procedures	2/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<div><div></div><div>Laboratory Operations</div></div>	38/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	2/4
<div><div></div><div>NEW! SCORE PENALTIES</div></div>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in Oklahoma had overall favorable opinions of the medical cannabis program. While some patients saw no improvement, the majority of patients felt as though access improved in the past year thanks to improved product quality, lower prices, more retailers, and an easily accessible program overall. Oklahoma is the only state where all surveyed patients agreed that there were an appropriate amount of dispensaries. However, the majority of surveyed patients agreed that costs of medicine are too high or even prohibitive.

Background

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Recommendations for Policy Makers and Regulators

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OREGON

2020-21 Improvements and Recommendations

Oregon’s 2021 legislative session was active on cannabis as a series of bills passed changing the conditions for patients. HB 3369 amended the statutory definition of “attending physician” to “attending provider” thereby extending the ability to recommend cannabis to registered nurses, nurse practitioners, clinical nurses, physicians’ assistants, and other medical professionals. SB 307 allows veterans with a more than 50% disability rating from the VA to waive their patient registration fees. Two separate bills- HB 3000 and SB 38 are working to establish testing standards for products derived from industrial hemp. Each of these individual improvements should work in tandem to create a more safe and accessible medical cannabis program for Oregonians.

For the time being, Oregon’s emergency COVID measures for the medical cannabis program remain in place. The state also issued a set of emergency rules as wildfires spread across the state in April 2021, these temporary rules would allow patients to renew their cards or make changes to their registration without fees.

Oregon was one of four states that experienced a decline in patient population. With affordable products readily available and ubiquitous dispensary access across the state, many patients have seen little need to continue to pay for renewal or registration fees when there aren’t enough advantages to make them worth it.

When looking at the state of medical cannabis in Oregon, one must weigh the costs to enter the program against the benefits. For \$200, a patient essentially gains a tax break on products for a single year. They are not provided with any additional protections for areas where patients commonly face discrimination, such as housing, parental rights, organ transplants, employment, and DUI charges. The state must work to provide these anti discrimination protections and lower the cost prohibitive fees associated with the program. Otherwise, it is clear that participation will continue to shrink.



BASE CATEGORIES POINTS:	395
PENALTIES:	-21
POINT TOTAL:	374/700
SCORE PERCENTAGE:	53.43%

22,566	0.54%	447	50 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	50/100	<b>PROGRAM FUNCTIONALITY</b>	85/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	6/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	80/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	58/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	20/20	Housing Protections	0/25
- Authorizes Delivery	10/10	Access for Minors	10/10
- Authorizes Curbside Pickup	10/10	Access in Underserved Areas	10/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	30/30	Organ Transplants	0/5
Reciprocity	5/20	Ownership or Employment Restrictions	5/5
<b>NEW! AFFORDABILITY</b>	45/100		
Sales Tax Break for Patients and Caregivers	20/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	0/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	5/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	77/200
<b>Cultivation Operations</b>	12/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	4/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	37/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	5/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	5/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	0/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	1/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	16/50
Staff Training	0/20
Standard Operating Procedures	4/7
- Facility Sanitation	1/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	12/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	2/4
<b>NEW! SCORE PENALTIES</b>	21/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	1/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**

Patients surveyed in Oregon said they saw no improvements to the medical program in the past year but are mixed on the impact adult use has had on the medical program. Those who think it has helped access believe that the adult use products are affordable and of high enough quality to satisfy patient demand. For those who think adult use has had a negative impact, it is because of less product availability, higher prices, and a lack of focus by regulators on the medical market in favor of its counterpart. The majority of patients felt that medicine was affordable, while some felt that the cost was still prohibitive.

**Background**

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



PENNSYLVANIA

2020-21 Improvements and Recommendations

In June 2021 Governor Wolf authorized a continuation of the state's COVID emergency measures through September. Just a week later, he signed HB 1024 which made curbside pickup a permanent fixture and allowed cannabis retailers to register employees as caregivers for the purposes of delivery. HB 1024 also included a measure to increase the amount of cannabis a patient can buy at a given time from 30 days to 90 days and a provision to provide financial assistance to low-income patients. Language that would've allowed for patients over 21 to grow up to five mature cannabis plants at home was unfortunately excluded from the final bill.

Pennsylvania saw a year of steady growth in patient enrollment. Since our last report, the state has gained over 46,000 new patients, a 15% increase. Pennsylvania is now one of five states with over 300,000 patients.

ASA recommends that the state focus their 2022 legislative efforts on expanding patient access, ensuring sufficient medical cannabis products are available, and working to reduce product costs. One strategy Pennsylvania should consider is to allow home cultivation of medical cannabis for able-bodied patients, which can dramatically reduce costs and ensure ongoing availability of medicine.

The state should also consider expanding the volume of licensed cultivators, manufacturers, testing laboratories and medical retail facilities to safeguard against supply shortages and improve patient access, as well as authorize delivery. Other program modifications to consider include organizing patient legal protections related to housing, as well as improving training requirements for facility staff. Finally, ASA recommends permanently maintaining the new access and telehealth enhancements under COVID, which greatly improve patient access and reduce patient cost burdens.



BASE CATEGORIES POINTS:	470
PENALTIES:	-15
POINT TOTAL:	455/700
SCORE PERCENTAGE:	65%

384,254	2.68%	143	2,403 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	80/100	PROGRAM FUNCTIONALITY	91/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	10/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	10/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	4/5
		- Background Checks	1/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
ACCESS TO MEDICINE	50/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	15/20		
- Authorizes Delivery	5/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	25/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	58/100	NEW! HEALTH AND SOCIAL EQUITY	43/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	20/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	18/20	Access for Minors	10/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	4/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	148/200
Cultivation Operations	36/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	7/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	1/2
Required Testing	8/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	7/7
Manufacturing Operations	32/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	9/10
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	1/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	5/5
Dispensary Operations	40/50
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	13/13

ISSUE	POINTS
Laboratory Operations	40/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4
NEW! SCORE PENALTIES	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	5/10
Creates New Criminal Penalties for Patients	10/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Overall, patients surveyed in Pennsylvania had a favorable opinion of the medical cannabis program in the state. While a minority of respondents saw no change to access, a majority say that access has improved in the past year thanks to more retailers, better product quality, and emergency COVID measures which allowed for delivery and increased patient allotment at retailers. Most patients in Pennsylvania feel there are an appropriate number of dispensaries while a few feel there are too few. Surveyed patients in Pennsylvania overwhelmingly agree that the price of cannabis is too high or prohibitive.

Background

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Recommendations for Policy Makers and Regulators

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PUERTO RICO

2020-21 Improvements and Recommendations

In July 2021 Governor Pierluisi signed a bill that would expand employment protections. The bill further specifies that no contract, license, permit, or benefit under the laws of Puerto Rico can be denied based on an individual's status as a cannabis patient. The new bill went into effect immediately. Despite the latest strengthened civil protections for employees, the island still offers no protections for parents in family court, for tenants in rental housing, or for individuals facing discriminatory roadside sobriety testing. In each of these cases, patients in Puerto Rico can still face discrimination based solely on their status as a patient.

ASA recommends Puerto Rico lawmakers fix these holes in protecting civil rights so that patients can feel safe using their medicine. Puerto Rico's legislators should also consider allowing patients and caregivers to grow cannabis at home and consider giving caregivers the option to sell their products to retailers after third-party testing has been conducted.



BASE CATEGORIES POINTS:	274
PENALTIES:	0
POINT TOTAL:	274/700
SCORE PERCENTAGE:	39.14%

114,274	3.58%	101	1,113 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	62/100	<b>PROGRAM FUNCTIONALITY</b>	47/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	12/20	Reasonable Possession Limits	4/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	4/10
Employment Protections	20/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	5/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	50/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	10/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	10/30		
Reciprocity	20/20		
<b>NEW! AFFORDABILITY</b>	20/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	20/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	5/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	7/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	75/200
<b>Cultivation Operations</b>	21/50
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7

<b>Manufacturing Operations</b>	22/50
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5

<b>Dispensary Operations</b>	10/50
Staff Training	10/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	22/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4

<b>NEW! SCORE PENALTIES</b>	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

No feedback was received from patients in Puerto Rico.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

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RHODE ISLAND

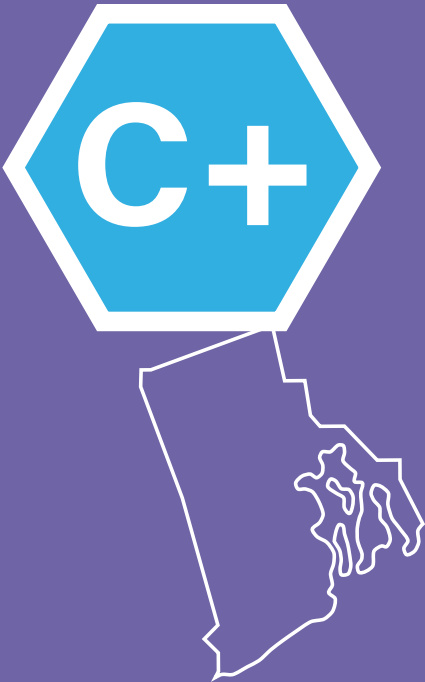
2020-21 Improvements and Recommendations

Rhode Island’s legislators have been busy debating cannabis legalization for all adults over 21 in the 2021 legislative session; three separate bills aiming for that goal are being debated by the state’s legislators. Meanwhile, the state’s medical cannabis regulations implemented new third-party testing guidelines in late 2020. While limited in scope, the new guidelines are certainly an improvement over the state’s previously lackluster safety standards.

As part of a larger program expansion, Rhode Island’s regulators awarded 5 new dispensary licenses in October 2021 to more than double the state’s retail capacity. Regulators in Rhode Island also chose to expand the state’s product safety standards at the beginning of 2021 to include product testing for potency, heavy metals, and microbiological contaminants. For the time being, Rhode Island’s emergency COVID guidelines remain in place.

2021 saw modest growth in enrollment for Rhode Island’s patient registry. With about 2,000 more patients registered than there were during our last report, the state still falls just short of the 20,000-patient mark.

In 2022, legislators should focus on expanding protections for patients including against discrimination in custody hearings and family court, in medical procedures involving organ transplants, and from roadside sobriety tests. Legislators should also look to create an independent review body consisting of patients and caregivers that would help state regulators address patient concerns.



BASE CATEGORIES POINTS:	484
PENALTIES:	0
POINT TOTAL:	484/700
SCORE PERCENTAGE:	69.14%

19,803	1.87%	3	6,601 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	70/100	PROGRAM FUNCTIONALITY	71/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	18/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	0/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	71/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	1/5		
Sufficient Number of Licensed Retailers	5/30		
Reciprocity	20/20		
NEW! AFFORDABILITY	54/100	NEW! HEALTH AND SOCIAL EQUITY	65/100
Sales Tax Break for Patients and Caregivers	16/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	15/25
Reasonable Registration Fees	18/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	8/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	8/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	153/200
Cultivation Operations	38/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
Manufacturing Operations	38/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	4/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	4/5
Dispensary Operations	33/50
Staff Training	10/20
Standard Operating Procedures	6/7
- Facility Sanitation	1/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
Laboratory Operations	44/50
Independent or Third-Party	0/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Result Reporting	4/4
NEW! SCORE PENALTIES	0/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Rhode Island had favorable but not glowing opinions about the medical cannabis program in the state. However, while most noticed no change to access, some believed that it had become more limited because there are still not enough retailers or ways for disabled patients to acquire their medicine. All patients surveyed in Rhode Island agreed that there are too few dispensaries in the state. The majority of patients reported prohibitive costs of medicine.

**Background**  
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**Recommendations for Policy Makers and Regulators**  
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SOUTH CAROLINA

2020-21 Improvements and Recommendations

South Carolina’s Lawmakers did nothing in the past year to advance cannabis access for their constituents. The few patients in South Carolina who do qualify are still stuck with CBD oils, if they can get them at all since there is no access to state licensed retailers who sell safe lab tested products.

There are a few key steps lawmakers can take to expand access to medical cannabis in their state. They can start by removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. Legislators should also seek to cover patients with a diversity of health conditions through significant expansion of the state’s list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in South Carolina should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	91
PENALTIES:	-20
POINT TOTAL:	71/700
SCORE PERCENTAGE:	10.14%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	5/100	<b>PROGRAM FUNCTIONALITY</b>	11/100
Arrest Protection	5/25	Legal Protections Within Reasonable Time Frame	0/20
Affirmative Defense	0/20	Reasonable Possession Limits	0/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	2/5
		- Background Checks	2/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	0/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	35/100
Authorizes Retail Access	0/10	State Program Protections	25/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	9/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	1/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	0/5
Reciprocity	0/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	40/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in South Carolina reported their continued frustrations with their state’s lack of comprehensive access. They reported unanimously that there was no noticeable change to the program in the past year.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



SOUTH DAKOTA

2020-21 Improvements and Recommendations

Voters in South Dakota's 2020 election had two ballot measures to weigh in on: Measure 26 to create a medical cannabis access program, and Amendment A which would change the South Dakota constitution to legalize cannabis for all adults over 21. Both ballot questions passed; Measure 26 with a healthy majority of 69.92%, and Amendment A with 54.18%. A regulatory committee was formed in June 2021 to oversee the medical program provided by Measure 26, which officially took effect at the beginning of July. The measure includes a timeline for the committee to begin licensing retailers and registering patients by November 2021, but there have been conflicting viewpoints as to whether this is an achievable timeline.

Despite the timeline from the state, there is one retailer currently open in South Dakota: The Flandreau Santee Sioux Tribe operate a dispensary on tribal land and have their own patient registry. For the first week of July as Measure 26 came into effect, residents from all across the state were signing up as patients under the tribe's registry. This was shut down by the state attorney general who directed law enforcement officers to stop recognizing the legitimacy of medical cannabis cards issued by the Flandreau Santee Sioux Tribe to non-tribal members.

Amendment A would've allowed any South Dakota resident over 21 to possess, grow, and sell cannabis, but would not have created the regulatory framework for a retail system. Instead, the constitutional amendment was designed to force the hand of South Dakota's legislatures to draft the laws for the retail system. Legislators won't have to lift a finger to honor the will of the voters, however, a South Dakota judge voided the will of the voters and struck the amendment down as unconstitutional.

In 2022, ASA recommends the state approve the applications of as many operators as are feasible for the state's infrastructure to handle and to keep the applications open for the foreseeable future. Too many states hurt patient access by limiting the initial licenses given and refusing to license more operators as patient demand grows. This practice keeps demand and prices high and can severely limit retail access, South Dakota should avoid it. State legislators should also consider allowing provisions that other states made to ensure access during the COVID-19 pandemic such as telemedicine for certifications and renewals, delivery, and curbside pickup.



BASE CATEGORIES POINTS:	400
PENALTIES:	-15
POINT TOTAL:	385/700
SCORE PERCENTAGE:	55%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	90/100	PROGRAM FUNCTIONALITY	58/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	0/20
Affirmative Defense	20/20	Reasonable Possession Limits	7/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	20/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	1/5
		- Background Checks	0/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
ACCESS TO MEDICINE	35/100	NEW! HEALTH AND SOCIAL EQUITY	75/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	0/20	Housing Protections	25/25
- Authorizes Delivery	0/10	Access for Minors	9/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	15/15	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	5/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	5/5
Reciprocity	10/20	Ownership or Employment Restrictions	1/5
NEW! AFFORDABILITY	36/100		
Sales Tax Break for Patients and Caregivers	5/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	16/20		
Financial Hardship Waivers or Discounts	10/20		
Donation Program	0/10		
Allows Multi-year Registrations	5/10		

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	106/200
Cultivation Operations	27/50
Quality Management Systems	10/10
Staff Training	8/10
Standard Operating Procedures	3/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	2/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	23/50
Quality Management Systems	10/10
Staff Training	8/10
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	2/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	18/50
Staff Training	10/20
Standard Operating Procedures	3/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	0/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	38/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	2/4
NEW! SCORE PENALTIES	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	5/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	10/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**

No feedback was received from patients in South Dakota.

**Background**

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**

To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.

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TENNESSEE

2020-21 Improvements and Recommendations

State lawmakers in Tennessee attempted to pass legislation to create a medical cannabis access program but the bill failed to clear the Senate Judiciary Committee. Another effort seeks to supersede the creation of a comprehensive medical program entirely by putting the question of legalization for all adults on the ballot in 2022. A successful effort through the state legislature to expand the list of qualifying conditions in Tennessee was finally enacted in May 2021. 8 new conditions are now covered by Tennessee's limited laws including Alzheimer's, ALS, Cancer, IBS, MS, HIV/AIDS, and Sickle cell. This new expansion also included the creation of a committee to study federal and state medical cannabis laws.

In 2022, ASA recommends state lawmakers focus on building out from the state's limited CBD access program to establish a comprehensive medical cannabis program. Lawmakers can start by removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. ASA recommends that lawmakers allow access for any condition a medical professional recommends it for rather than limiting access to certain conditions. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in Tennessee should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS: 99  
PENALTIES: -15  
POINT TOTAL: 84/700  
SCORE PERCENTAGE: 12%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	24/100	PROGRAM FUNCTIONALITY	22/100
Arrest Protection	12/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	12/20	Reasonable Possession Limits	2/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	0/100		
Authorizes Retail Access	0/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	40/100	NEW! HEALTH AND SOCIAL EQUITY	13/100
Sales Tax Break for Patients and Caregivers	0/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	4/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	0/200
Cultivation Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
NEW! SCORE PENALTIES	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback  
Patients surveyed in Tennessee had very negative opinions about the state's lack of access and noticed no changes in the past year.

Background  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
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TEXAS

2020-21 Improvements and Recommendations

HB 1535 was passed by the Texas legislature in June and went into effect in September. The bill raised the maximum THC content allowed in medical cannabis products from 0.5% to 1%, it also added cancer and PTSD to the list of qualifying conditions. Earlier versions of the bill also included chronic pain which is the number 1 reason patients are recommended cannabis and would have increased the population who would have had access to medical cannabis significantly. While the addition of chronic pain would have been preferable to its exclusion, ASA recommends that Texas strikes its qualifying condition list entirely in favor of allowing doctors and patients to make treatment decisions together.

Texas saw substantial growth in their tiny CBD oil registry. With just over 1,100 new registrations, the program grew about 46% since our last report. Two retailers are now open in the state, both are located in Austin. State legislators should address this critical lack of access. For a state as large as Texas, two retailers in a single city won't cover it even with the registry as small as it is.



BASE CATEGORIES POINTS:	213
PENALTIES:	-30
POINT TOTAL:	183/700
SCORE PERCENTAGE:	26.14%

3,519	0.01%	2	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	29/100	<b>PROGRAM FUNCTIONALITY</b>	48/100
Arrest Protection	12/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	12/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	3/5
<b>ACCESS TO MEDICINE</b>	12/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	42/100
Authorizes Retail Access	10/10	State Program Protections	25/25
Alternative Accessibility Methods	2/20	Housing Protections	0/25
- Authorizes Delivery	2/10	Access for Minors	10/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	7/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	0/5
Reciprocity	0/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	40/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	42/200
<b>Cultivation Operations</b>	14/50
Quality Management Systems	5/10
Staff Training	0/10
Standard Operating Procedures	3/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	15/50
Quality Management Systems	5/10
Staff Training	3/10
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	1/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	10/50
Staff Training	0/20
Standard Operating Procedures	3/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	0/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	3/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	30/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	5/15
Requires Vertical Integration	10/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
The majority of patients surveyed in Texas had very negative opinions about the state's lack of access and noticed no changes in the past year. One respondent; however, was pleased that regulators had increased the cap of THC content allowed in legally sold products from 0.5% to 1%.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

UTAH

2020-21 Improvements and Recommendations

Regulators made a public announcement clarifying rules regarding telehealth recommendations, saying that while state law requires that a doctor give the recommendation in-person, renewals and subsequent visits may be conducted over the phone. New rules to allow out of state patients to apply for temporary cards were also issued. Additionally, patients will no longer have to purchase flower in 1-gram pods thanks to changes made by state regulators.

Utah banned Delta-8 THC products in 2019, however medical cannabis retailers in the state seem to be violating this law by stocking the products and even pushing them on patients over other cannabis products. Delta-8 tends to be synthetically derived as the cannabis plant naturally produces very little. The chemicals used in the synthesis may be harmful and there are no regulations requiring safety contaminant tests for these substances. Additionally, there are no studies indicating the safety of delta-8 that is synthetically derived and at quantities seen in these products. Utah regulators should move quickly to crack down hard on producers making and retailers selling delta-8 THC products.

In 2022, ASA recommends that Utah regulators continue extending more forms of access to patients by removing the requirement for concentrates to be separately recommended when other forms of cannabis don't sufficiently treat the patient's condition. The state should also consider allowing for patients and caregivers to grow cannabis at home to lower the impact of supply issues and cost on patients. Additionally, retailers should be allowed to offer patients curbside pickup so they can avoid potential contact with others as the pandemic continues.



BASE CATEGORIES POINTS:	337
PENALTIES:	-20
POINT TOTAL:	317/700
SCORE PERCENTAGE:	45.29%

35,053	1.09%	3	2,504 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	70/100	PROGRAM FUNCTIONALITY	62/100
Arrest Protection	20/25	Legal Protections Within Reasonable Time Frame	16/20
Assertive Defense	20/20	Reasonable Possession Limits	6/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	8/10
Employment Protections	5/20	Telemedicine for Physician Certification	9/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	10/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	3/5
		Access to Administration Methods	7/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	2/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	30/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	10/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	5/30		
Reciprocity	5/20		
NEW! AFFORDABILITY	38/100	NEW! HEALTH AND SOCIAL EQUITY	17/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	0/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	18/20	Access for Minors	6/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	6/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	120/200
Cultivation Operations	29/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	6/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	0/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	1/2
Required Testing	6/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	0/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
Manufacturing Operations	42/50
Quality Management Systems	10/10
Staff Training	10/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	2/3
Required Testing	7/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	1/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
Dispensary Operations	13/50
Staff Training	10/20
Standard Operating Procedures	3/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	36/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
NEW! SCORE PENALTIES	20/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	5/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

Patients surveyed in Utah had mostly unfavorable opinions of the existing medical cannabis program. Some felt that access had improved thanks to more retailers and better product availability, while others thought the move to limit the qualifying condition standards made access harder. Patients in Utah unanimously agreed there are too few dispensaries in the state and that costs are prohibitive.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

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VERMONT

2020-21 Improvements and Recommendations

In late 2020, Vermont’s legislature passed S.54, a bill to legalize cannabis for all adults over 21. The bill became law without the signature of Governor Scott, who had reservations about whether it would address the concerns of social justice advocates; it is set to roll out in stages, with full retail access for the public by May 2022. Throughout 2021, we have seen the development of this program. Most notably, with the formation of the state’s cannabis control board, which will take the responsibility of regulating cannabis retail sales, in March. Legislators who shared Governor Scott’s reservations about social equity in S.54 passed an additional bill in 2021 to address one angle of that. S.25 seeks to establish a cannabis business fund that will grant low interest business loans to people of color and others affected by the war on drugs.

The retail program set out in S. 54 will bring some changes for patients aside from the transition in regulatory authority. These include striking the rule binding patients to a single dispensary and removing language that prohibited possession and dosing on school grounds, opening the opportunity for individual school boards to develop that policy themselves. It is also possible registration fees could go up now that the price of \$50 will no longer be written into the law come March 2022.

While ASA is happy to see small strides forward, Vermont’s neglect of medical cannabis has allowed access to atrophy. To the average adult seeking medical cannabis in Vermont, registration as a patient doesn’t seem to make a significant difference. Vermont’s lawmakers have done nothing to protect patients past the criminal penalties that no longer exist thanks to the state’s voters. Significant protections must be extended to cover employment, parental rights, housing, organ transplants, and to protect against DUI charges for patients. The state shouldn’t expect the new retail licenses it will grant for the recreational market to fill the gaps that its limited licensing of medical cannabis dispensaries has caused in access across the state. Lawmakers should look at what has been done in Maine with the caregiver system and model a parallel retail system after that.



BASE CATEGORIES POINTS:	298
PENALTIES:	-30
POINT TOTAL:	268/700
SCORE PERCENTAGE:	38.29%

5,209	0.85%	5	1,059 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	41/100	PROGRAM FUNCTIONALITY	67/100
Arrest Protection	20/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	16/20	Reasonable Possession Limits	8/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	8/10
Employment Protections	0/20	Telemedicine for Physician Certification	9/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	10/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	1/5
		- Background Checks	0/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	45/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	40/100	NEW! HEALTH AND SOCIAL EQUITY	43/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	9/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	62/200
Cultivation Operations	9/50
Quality Management Systems	0/10
Staff Training	3/10
Standard Operating Procedures	4/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	1/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	10/50
Quality Management Systems	0/10
Staff Training	3/10
Standard Operating Procedures	4/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	1/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	14/50
Staff Training	5/20
Standard Operating Procedures	4/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	29/50
Independent or Third-Party	0/5
Laboratory Sampling	3/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
NEW! SCORE PENALTIES	30/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	10/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback  
No feedback was received from patients in Vermont.

Background  
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Recommendations for Policy Makers and Regulators  
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VIRGINIA

2020-21 Improvements and Recommendations

2020 and 2021 were busy years for Virginia’s state legislators when it came to cannabis. Governor Northam signed HB2312 in April 2021 making Virginia the first state in the south to legalize cannabis for all adults over 21. Proponents of the bill claim it prioritizes social equity; already any records involving simple possession are sealed from police databases, there is also a timeline to seal all criminal records for simple possession in private databases by 2025. The bill also creates a Business Equity & Diversity Support Team at the Cannabis Control Authority to assist qualified applicants and do outreach to minority communities, it also draws on 30% of the taxed revenue to create a Cannabis Equity Reinvestment Fund to issue low interest loans to qualified applicants. The bill sets out a three-year timeline for retail sales to begin in the state, but residents are feeling the effects already as the new rules for simple possession and home cultivation of up to four plants per household went into effect at the beginning of July.

After several years of being limited to processed cannabis products, patients in Virginia will finally be allowed to buy unprocessed flower at their local dispensaries.

ASA encourages Virginia’s legislators to focus their efforts on addressing the areas where they left gaps in the rush to legalize cannabis for all adults. Virginia is the only state that has medical cannabis access for patients but no form of caregiver status to help with acquisition or dosing, this is a critical failure that must be fixed. The state must also provide protections for patient discrimination in housing, family court or child custody hearings, from roadside sobriety testing, and from refusal to perform organ transplants. The state should also authorize existing and future retailers to allow curbside pickup and delivery to patients.



BASE CATEGORIES POINTS:	374
PENALTIES:	-28
POINT TOTAL:	346/700
SCORE PERCENTAGE:	49.43%

32,950	0.39%	5	6,590 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	70/100	PROGRAM FUNCTIONALITY	67/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	20/20	Reasonable Possession Limits	6/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	8/10
Employment Protections	20/20	Telemedicine for Physician Certification	15/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	8/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	3/5
		Provides Access to Minors on School Grounds	5/5
ACCESS TO MEDICINE	25/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
NEW! AFFORDABILITY	55/100	NEW! HEALTH AND SOCIAL EQUITY	44/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	15/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	0/10
		Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	113/200
Cultivation Operations	26/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	3/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	1/2
Environmental Impact Regulations	0/2
Required Testing	7/8
- Cannabinoids	1/1
- Terpenes	1/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	1/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
Manufacturing Operations	24/50
Quality Management Systems	0/10
Staff Training	10/10
Standard Operating Procedures	3/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	1/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	2/5
- Cannabinoids	1/1
- Terpenes	1/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
Dispensary Operations	30/50
Staff Training	10/20
Standard Operating Procedures	3/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	10/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
Laboratory Operations	33/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	2/4
NEW! SCORE PENALTIES	28/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	5/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	3/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Virginia mostly agreed that access to medical cannabis has improved in the past year thanks to the program finally opening its doors to patients. Most believe there are too few retailers but acknowledge the program is new and understand that this will change in the future. Surveyed patients reported prohibitive costs at retailers but expressed that the costs will come down as more producers and retailers come online.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
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UNITED STATES VIRGIN ISLAND

2020-21 Improvements and Recommendations

USVI did not have a medical cannabis law before 2019, although voters did approve a non-binding referendum supporting medical cannabis in 2014. In early 2019, the Governor of the U.S. Virgin Islands signed the Virgin Islands Medicinal Cannabis Care Act to allow patients to possess and obtain cannabis for medicinal purposes. Two years have passed since this law was signed, yet patients in the territory still do not have access to cannabis due to administrative and regulatory failures.

ASA recommends that USVI extends medical cannabis access to minors as they are the only state or territory who extends access to adults but not to children. There is no evidence that extending medical cannabis access to minors increases their likelihood for abuse. Lawmakers should also consider allowing retailers to offer delivery and curbside pickup to patients. These measures were implemented across the country and were immensely popular to the extent that many states made them permanent.



BASE CATEGORIES POINTS:	323
PENALTIES:	-15
POINT TOTAL:	308/700
SCORE PERCENTAGE:	44%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
PATIENT RIGHTS AND CIVIL PROTECTIONS	90/100	PROGRAM FUNCTIONALITY	71/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	20/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	15/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	0/5
ACCESS TO MEDICINE	35/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	0/20		
- Authorizes Delivery	0/10		
- Authorizes Curbside Pickup	0/10		
Personal Cultivation	15/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	10/20		
NEW! AFFORDABILITY	30/100	NEW! HEALTH AND SOCIAL EQUITY	70/100
Sales Tax Break for Patients and Caregivers	10/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	25/25
Reasonable Registration Fees	20/20	Access for Minors	0/10
Financial Hardship Waivers or Discounts	0/20	Access in Underserved Areas	0/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	5/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
CONSUMER PROTECTION AND PRODUCT SAFETY	27/200
Cultivation Operations	7/50
Quality Management Systems	0/10
Staff Training	2/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	1/2
Environmental Impact Regulations	0/2
Required Testing	1/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
Manufacturing Operations	9/50
Quality Management Systems	0/10
Staff Training	2/10
Standard Operating Procedures	2/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	1/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	4/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	1/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
Dispensary Operations	4/50
Staff Training	2/20
Standard Operating Procedures	2/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	1/1
- Waste Disposal	0/1
- Records Management	1/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
Laboratory Operations	7/50
Independent or Third-Party	5/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	2/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
NEW! SCORE PENALTIES	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	15/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback  
No feedback was received from patients in USVI.

Background  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
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WASHINGTON

2020-21 Improvements and Recommendations

Washington has continued to see a slow decline of patients registered to its database. Although the data is not accessible to the public, regulators have made estimates of patient numbers available. These estimates have shown declining registrations year after year.

Washington State regulators are extending COVID-related allowances for marijuana curbside service, walk-up windows, hand sanitizer and mask giveaways and letting minors be present at cannabis businesses through April 30, 2022.

In 2022, ASA encourages Washington lawmakers to address the gaps in civil protections provided to patients in employment, DUI discrimination, and housing. Patients must be protected from facing discrimination in the workplace due solely to their status as a patient. This extends to barring employers from hiring/firing based on use and stopping employers from unfairly drug screening patients which the state of Washington currently does not protect. As it stands, patients can be denied housing solely based on their status as a patient. Patients must be able to take their medicine in the comfort of their own home without being able to worry about eviction. Additionally, the state must stop police officers from unfairly discriminating against patients with roadside sobriety tests. Based on their status as a patient, an individual should be exempt from any roadside test looking for impairment due to cannabis. Finally, lawmakers should identify strategies to overcome local resistance to extending legal medical access to patients because too many localities across the state have made access difficult for patients.



BASE CATEGORIES POINTS:	443
PENALTIES:	-41
POINT TOTAL:	402/700
SCORE PERCENTAGE:	57.43%

11,000	0.14%	157	70 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	80/100	<b>PROGRAM FUNCTIONALITY</b>	64/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	20/20	Reasonable Possession Limits	10/10
Parental Rights Protections	20/20	Reasonable Purchase Limits	10/10
Employment Protections	10/20	Telemedicine for Physician Certification	3/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	10/10
		- Allows Dried Flower	5/5
		- Allows Edibles, Concentrates, and Other Forms	5/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	80/100		
Authorizes Retail Access	10/10		
Alternative Accessibility Methods	20/20		
- Authorizes Delivery	10/10		
- Authorizes Curbside Pickup	10/10		
Personal Cultivation	15/15		
Collective Gardening	5/5		
Sufficient Number of Licensed Retailers	30/30		
Reciprocity	0/20		
<b>NEW! AFFORDABILITY</b>	60/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	57/100
Sales Tax Break for Patients and Caregivers	20/20	State Program Protections	25/25
Covered by State Insurance or Health Aid	0/20	Housing Protections	0/25
Reasonable Registration Fees	20/20	Access for Minors	9/10
Financial Hardship Waivers or Discounts	20/20	Access in Underserved Areas	5/10
Donation Program	0/10	List of Qualifying Conditions is Exhaustive or All Inclusive	5/10
Allows Multi-year Registrations	0/10	Allows Patients to Medicate Where They Choose	8/10
		Organ Transplants	5/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	102/200
<b>Cultivation Operations</b>	15/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	2/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Water Management	0/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	1/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	1/1
- Moisture Content	1/1
Packaging and Labeling	2/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	1/1
Complaints, Adverse Event Reporting and Recall Protocol	3/7
<b>Manufacturing Operations</b>	29/50
Quality Management Systems	10/10
Staff Training	5/10
Standard Operating Procedures	2/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	2/3
Required Testing	4/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	3/5
- Cannabinoids	1/1
- Terpenes	0/1
- Ingredients	1/1
- Allergens	1/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	3/5
<b>Dispensary Operations</b>	14/50
Staff Training	0/20
Standard Operating Procedures	2/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	5/5
Complaints, Adverse Event Reporting and Recall Protocol	7/13

ISSUE	POINTS
<b>Laboratory Operations</b>	44/50
Independent or Third-Party	5/5
Laboratory Sampling	3/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	20/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	41/100
Gives Regulatory Preference to Adult Use	20/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	10/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	1/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**

Patients surveyed about their opinions on Washington's medical cannabis program gave it overall negative ratings. Most felt as though adult use being legalized limited access for patients by making the recreation market the priority. Many respondents agree that the adult use legalization outright ended the medical program. Responses were split evenly on whether there were too few or an appropriate number of retailers in the state. Most patients in Washington said that the cost of cannabis is not too restrictive, but a few respondents believed that the prices were still prohibitive.

**Background**

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**Recommendations for Policy Makers and Regulators**

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WEST VIRGINIA

2020-21 Improvements and Recommendations

After four years of inactivity, West Virginia’s patient registry finally allowed patients to begin registering in May 2021. So far, 2,150 individuals have successfully registered as patients. To access cannabis, patients would have to wait until November when the first two retailers, one in Morgantown and the other in Weston, would open. The state has issued 100 total retail licenses and plans to open them in the coming years. Regulators also weighed a proposal to allow patients to cultivate cannabis at home but did not come to a conclusive decision.

ASA recommends that regulators follow through to allow patients and caregivers to grow cannabis at home. West Virginia should also move to make delivery and curbside pickup available for all retailers as they open; these measures were popular and did a lot of work to improve access for patients. Finally, West Virginia legislators need to address the civil rights that current laws do not protect. Patients deserve protection from discrimination in field sobriety tests, housing, family court, and organ transplants.



BASE CATEGORIES POINTS:	354
PENALTIES:	-20
POINT TOTAL:	334/700
SCORE PERCENTAGE:	47.71%

2,150	0.12%	2	1,075 : 1
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	55/100	<b>PROGRAM FUNCTIONALITY</b>	62/100
Arrest Protection	25/25	Legal Protections Within Reasonable Time Frame	16/20
Affirmative Defense	15/20	Reasonable Possession Limits	8/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	8/10
Employment Protections	0/20	Telemedicine for Physician Certification	15/15
DUI Protections	10/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	5/5
		- Background Checks	2/2
		- Number of Caregivers	3/3
		Reasonable Physician Standards	2/5
		Access to Administration Methods	3/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	3/5
		Provides Access to Minors on School Grounds	5/5
<b>ACCESS TO MEDICINE</b>	17/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	15/100
Authorizes Retail Access	10/10	State Program Protections	0/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	8/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	7/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	1/30	Organ Transplants	0/5
Reciprocity	6/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	60/100		
Sales Tax Break for Patients and Caregivers	20/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	20/20		
Financial Hardship Waivers or Discounts	20/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	145/200
<b>Cultivation Operations</b>	33/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	8/8
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Water Management	1/1
- Records Management	1/1
Pesticide Usage Limitations	2/2
Environmental Impact Regulations	0/2
Required Testing	5/8
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	1/1
Packaging and Labeling	1/3
- Cannabinoids	1/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	7/7

<b>Manufacturing Operations</b>	28/50
Quality Management Systems	10/10
Staff Training	0/10
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Environmental Impact Regulations	0/3
Required Testing	6/10
- Cannabinoids	1/1
- Terpenes	0/1
- Microbials	1/1
- Aflatoxins	1/1
- Pesticides	1/1
- Heavy Metals	0/1
- Residual Solvents	1/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	1/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	5/5

<b>Dispensary Operations</b>	44/50
Staff Training	20/20
Standard Operating Procedures	6/7
- Facility Sanitation	0/1
- Workplace Safety	1/1
- Storage	1/1
- Batch and Lot Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Product Testing	5/10
- Product Meets Requirements Before Sale	5/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	13/13

ISSUE	POINTS
<b>Laboratory Operations</b>	40/50
Independent or Third-Party	5/5
Laboratory Sampling	5/5
Method Validation	4/4
Quality Management Systems	5/5
Staff Training	10/20
Standard Operating Procedures	7/7
- Facility and Equipment Sanitation	1/1
- Equipment and Instrument Calibration	1/1
- Workplace Safety	1/1
- Sample Tracking	1/1
- Security	1/1
- Waste Disposal	1/1
- Records Management	1/1
Result Reporting	4/4

<b>NEW! SCORE PENALTIES</b>	20/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	10/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	10/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	0/10
Imposes Bans or Limits on THC	0/5
Imposes Bans or Limits on CBD	0/5

Patient Feedback

There were no responses from patients in West Virginia.

Background

For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

Recommendations for Policy Makers and Regulators

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WISCONSIN

2020-21 Improvements and Recommendations

Governor Evers floated the idea of cannabis legalization to drive state revenue in his 2021-2023 budget proposal, but conservative legislators stripped the provision alongside investments in education, poor communities, and a minimum wage increase.

ASA recommends that Wisconsin legislators work to provide more comprehensive medical cannabis access to its citizens before rushing adult use legislation. ASA encourages collaborating with patients to organize a comprehensive medical cannabis program. Lawmakers can start by removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. Legislators should also seek to cover patients with a diversity of health conditions through significant expansion of the state’s list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in Wisconsin should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Finally, authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	126
PENALTIES:	-15
POINT TOTAL:	111/700
SCORE PERCENTAGE:	15.86%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	24/100	<b>PROGRAM FUNCTIONALITY</b>	36/100
Arrest Protection	12/25	Legal Protections Within Reasonable Time Frame	20/20
Affirmative Defense	12/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	0/5	Reasonable Caregiver Standards	0/5
		- Background Checks	0/2
		- Number of Caregivers	0/3
<b>ACCESS TO MEDICINE</b>	0/100	Reasonable Physician Standards	5/5
Authorizes Retail Access	0/10	Access to Administration Methods	1/10
Alternative Accessibility Methods	0/20	- Allows Dried Flower	0/5
- Authorizes Delivery	0/10	- Allows Edibles, Concentrates, and Other Forms	1/5
- Authorizes Curbside Pickup	0/10	Provides Access to Minors on School Grounds	0/5
Personal Cultivation	0/15		
Collective Gardening	0/5		
Sufficient Number of Licensed Retailers	0/30		
Reciprocity	0/20		
		<b>NEW! HEALTH AND SOCIAL EQUITY</b>	16/100
<b>NEW! AFFORDABILITY</b>	50/100	State Program Protections	0/25
Sales Tax Break for Patients and Caregivers	0/20	Housing Protections	0/25
Covered by State Insurance or Health Aid	0/20	Access for Minors	6/10
Reasonable Registration Fees	20/20	Access in Underserved Areas	0/10
Financial Hardship Waivers or Discounts	20/20	List of Qualifying Conditions is Exhaustive or All Inclusive	10/10
Donation Program	0/10	Allows Patients to Medicate Where They Choose	0/10
Allows Multi-year Registrations	10/10	Organ Transplants	0/5
		Ownership or Employment Restrictions	0/5

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	15/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	0/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	0/5

**Patient Feedback**  
Patients surveyed in Wisconsin noticed no noticeable change in the past year and complained about the continuing lack of access in the state.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation’s only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.



WYOMING

2020-21 Improvements and Recommendations

In 2021, legislators in Wyoming debated a bill to legalize cannabis for all adults over 21 while access for patients still remains completely inadequate. ASA recommends that Wyoming legislators work to provide more comprehensive medical cannabis access to its citizens before rushing adult use legislation.

As part of this legislation, ASA recommends removing arbitrary caps on THC levels in authorized cannabis products to allow for more effective treatment. Legislators should also seek to cover patients with a diversity of health conditions through significant expansion of the state's list of conditions eligible for cannabis treatment. ASA also encourages immediately implementing statutory protections for patients related to housing, employment, education, and parental rights. Legislators in Wyoming should consider creating a stringent set of product safety standards, and a system of third-party labs to test the safety of products. Authorizing a licensing system to support cultivation and sale of in-state medical cannabis and related products to patients is a basic requirement for medical cannabis access, but legislators should also consider permitting patients and caregivers to cultivate cannabis at home for medical use. Ideally, caregivers should even have the option to become retailers themselves or to sell products tested for safety by a third-party laboratory to retailers for consumption by patients. Such a system would offer patients a greater variety of options to treat their condition, and address cost challenges cannabis patients face due to the lack of insurance coverage of cannabis products.



BASE CATEGORIES POINTS:	110
PENALTIES:	-31
POINT TOTAL:	79/700
SCORE PERCENTAGE:	11.29%

NO	0%	0	N/A
Registered Patient Population	of Total Population Represented by Patients	Retail Locations Currently in Operation	Patients : Retail Locations

ISSUE	POINTS	ISSUE	POINTS
<b>PATIENT RIGHTS AND CIVIL PROTECTIONS</b>	31/100	<b>PROGRAM FUNCTIONALITY</b>	33/100
Arrest Protection	14/25	Legal Protections Within Reasonable Time Frame	14/20
Affirmative Defense	12/20	Reasonable Possession Limits	10/10
Parental Rights Protections	0/20	Reasonable Purchase Limits	0/10
Employment Protections	0/20	Telemedicine for Physician Certification	0/15
DUI Protections	0/10	Patient and Physician Representation in Program Decision Making	0/20
Explicit Privacy Standards	5/5	Reasonable Caregiver Standards	3/5
		- Background Checks	2/2
		- Number of Caregivers	1/3
		Reasonable Physician Standards	5/5
		Access to Administration Methods	1/10
		- Allows Dried Flower	0/5
		- Allows Edibles, Concentrates, and Other Forms	1/5
		Provides Access to Minors on School Grounds	0/5
<b>ACCESS TO MEDICINE</b>	0/100	<b>NEW! HEALTH AND SOCIAL EQUITY</b>	34/100
Authorizes Retail Access	0/10	State Program Protections	25/25
Alternative Accessibility Methods	0/20	Housing Protections	0/25
- Authorizes Delivery	0/10	Access for Minors	7/10
- Authorizes Curbside Pickup	0/10	Access in Underserved Areas	0/10
Personal Cultivation	0/15	List of Qualifying Conditions is Exhaustive or All Inclusive	2/10
Collective Gardening	0/5	Allows Patients to Medicate Where They Choose	0/10
Sufficient Number of Licensed Retailers	0/30	Organ Transplants	0/5
Reciprocity	0/20	Ownership or Employment Restrictions	0/5
<b>NEW! AFFORDABILITY</b>	12/100		
Sales Tax Break for Patients and Caregivers	0/20		
Covered by State Insurance or Health Aid	0/20		
Reasonable Registration Fees	12/20		
Financial Hardship Waivers or Discounts	0/20		
Donation Program	0/10		
Allows Multi-year Registrations	0/10		

ISSUE	POINTS
<b>CONSUMER PROTECTION AND PRODUCT SAFETY</b>	0/200
<b>Cultivation Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/8
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Water Management	0/1
- Records Management	0/1
Pesticide Usage Limitations	0/2
Environmental Impact Regulations	0/2
Required Testing	0/8
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Foreign Matter	0/1
- Moisture Content	0/1
Packaging and Labeling	0/3
- Cannabinoids	0/1
- Terpenes	0/1
- Pesticides	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/7
<b>Manufacturing Operations</b>	0/50
Quality Management Systems	0/10
Staff Training	0/10
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Environmental Impact Regulations	0/3
Required Testing	0/10
- Cannabinoids	0/1
- Terpenes	0/1
- Microbials	0/1
- Aflatoxins	0/1
- Pesticides	0/1
- Heavy Metals	0/1
- Residual Solvents	0/1
- Homogeneity	0/1
- Foreign Matter	0/1
- Water Activity	0/1
Packaging and Product Labeling	0/5
- Cannabinoids	0/1
- Terpenes	0/1
- Ingredients	0/1
- Allergens	0/1
- Nutritional Content	0/1
Complaints, Adverse Event Reporting and Recall Protocol	0/5
<b>Dispensary Operations</b>	0/50
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility Sanitation	0/1
- Workplace Safety	0/1
- Storage	0/1
- Batch and Lot Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Product Testing	0/10
- Product Meets Requirements Before Sale	0/5
- COA Disclosure	0/5
Complaints, Adverse Event Reporting and Recall Protocol	0/13

ISSUE	POINTS
<b>Laboratory Operations</b>	0/50
Independent or Third-Party	0/5
Laboratory Sampling	0/5
Method Validation	0/4
Quality Management Systems	0/5
Staff Training	0/20
Standard Operating Procedures	0/7
- Facility and Equipment Sanitation	0/1
- Equipment and Instrument Calibration	0/1
- Workplace Safety	0/1
- Sample Tracking	0/1
- Security	0/1
- Waste Disposal	0/1
- Records Management	0/1
Result Reporting	0/4
<b>NEW! SCORE PENALTIES</b>	31/100
Gives Regulatory Preference to Adult Use	0/20
Classifies Cannabis as a Medicine of Last Resort	15/15
Administrative or Supply Problems	0/15
Requires Vertical Integration	0/10
Creates New Criminal Penalties for Patients	0/10
Limits Patients to a Single Retailer	0/10
No System for Adding Qualifying Conditions	10/10
Imposes Bans or Limits on THC	5/5
Imposes Bans or Limits on CBD	1/5

**Patient Feedback**  
Patients surveyed in Wyoming had very negative opinions about the state's lack of access and noticed no changes in the past year.

**Background**  
For background information regarding this state, please visit [www.safeaccessnow.org/states](http://www.safeaccessnow.org/states) and click on the state.

**Recommendations for Policy Makers and Regulators**  
To aid government agencies in establishing sound rulemaking policies, ASA created the Patient Focused Certification (PFC) program. PFC is a third party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards as well as the only ISO 17065 accredited certifying body for cannabis and hemp compliance.  
PFC utilizes the American Herbal Products Association (AHPA) recommendations for botanical products, good agricultural (collection) practices (GAP), good manufacturing practices (GMP), and good laboratory practices (GLP) to thoroughly evaluate a business for compliance. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services. PFC also offers a dual ISO 17025/PFC accreditation through an agreement with A2LA to help labs streamline their accreditation process.

# Conclusion

When looking at state data in the aggregate, it is clear that nationwide medical cannabis programs need to be stronger. Programs ranged from 0% (Idaho & Nebraska) to 88.84% (Maine), however, when the 55 state and territory grades were averaged, medical cannabis access in the United States only received 44.38%, or a “D” on ASA’s grading scale. Since 1996, states have developed medical cannabis programs through citizen initiatives, comprehensive and piecemeal legislation, regulations and executive action. Although the majority of states now have some form of a medical cannabis program, there is still not one program in the country that meets the needs of all patients. While states continue to slowly adapt their laws to meet the needs of patients, as states are looking to the future and debating recreational adult-use laws, we have noticed a plateau in overall improvements to the medical cannabis programs.

*...when the 55 state and territory grades were averaged, medical cannabis access in the United States only received 44.38%, or a “D” on ASA’s grading scale.*

State lawmakers and regulators recognize the value of developing robust medical cannabis programs that serve a variety of patient health conditions, improve ease of patient access, and offer patients legal protections related to employment, housing, education and family law. However, many states with limited and even comprehensive medical cannabis programs have dedicated much if not all of their appetite for cannabis reforms to adult-use access during the 2020-2021 year, while failing to make much-needed improvements to their medical programs. This year’s report illustrates this phenomenon, with most states that maintain medical programs debating only adult-use options, or more alarmingly, merging the programs and foregoing many patient rights and protections afforded by the medical program.

While adult-use models can expand access to a larger population of people and may even increase the number of legal cannabis retailers, these systems and associated businesses are often not held to the same standards as authorized medical cannabis businesses. For example, laboratory testing of adult-use products may have less stringent product specifications than medical-use products.” It is also uncommon that states ask adult-use

retailers to maintain staff competent about medical cannabis products or their applications to ensure patients have a trained advisor to consult with when they purchase medicine. It is critical to patient health that states maintain focus on addressing medical cannabis program challenges and patient needs before, during and after developing adult-use programs.

This report highlights many of the issues raised by patients about the performance of state medical cannabis programs. These issues include:

**Access:** Most states that have organized medical cannabis access systems have not deployed a sufficient number of medical cannabis retail facilities to serve patients. Many patients responding to ASA’s 2021 patient survey reported needing to travel long distances to reach the limited population of such facilities that do exist. A variety of factors can produce this outcome, including state laws that permit local governments to completely prohibit a patient’s legal access to medicine by banning licensed medical retail providers.

While it is appropriate for local governments to make decisions about the configuration of their communities, it is completely inappropriate and discriminatory to use these powers to deny patients access to medicine that they need to treat their health conditions. Medical cannabis is as important to the treatment of both acute and chronic conditions as pharmaceutical products are to treating the conditions for which they are effective. As such, patients utilizing medical cannabis require the same ease of access to medical retailers that pharmaceutical patients do to pharmacies. ASA encourages state and local elected leaders and health regulators to cut through stigma and negative propaganda about cannabis and address the access needs of all patients.

**Insufficient Legal Protections:** This year’s report highlighted a huge lack in legal protections for patients. Granting state-regulated access to medical cannabis does nothing to protect patients who require legal protections pertaining to employment, housing, education and family legal matters in order to purchase, possess and use medical cannabis without fear of monetary fines, arrest, prosecution and imprisonment. Many states with medical cannabis programs have developed only a limited framework of these protections, and ASA encourages all states to arrange comprehensive protections to ensure that patients are not punished, jailed or discrimi-



nated against for legally using medical cannabis. These protections must be codified into law and cannot be left up to courts to litigate.

**Medical Program Challenges:** Patients responding to ASA's 2021 patient survey expressed concerns with enrolling in state medical programs for reasons ranging from high enrollment costs and limited program eligibility criteria to difficulty and delays related to navigating state enrollment processes and identifying qualified physicians to provide recommendations. This report illustrates work that some states have done to improve outcomes in this arena, but for most states there remains considerable work to be done to address concerns raised by patients about their experience with state medical cannabis systems. Further, in order to not penalize patients for needing a treatment option, states that legalize adult-use must do away with medical cannabis registration fees.

**Product Availability:** Patients continue to report limited consistent medical product availability, especially in states with adult use programs. A variety of factors can contribute to these outcomes, and common ones include insufficient regulations for licensed cultivators and manufacturers to provide specific medical products, as well as absent requirements for retailers to carry ample supplies of these products to serve their local patient populations. Another contributing factor is inadequate licensing of medical cannabis businesses across the supply chain, to include cultivation, manufacturing, testing, distribution, and retail.

For example, models that force vertical integration of cannabis businesses limit legal participation of all potential cannabis business operators, which can produce a limited population of large, well-financed cannabis businesses that impose oligopoly practices on the supply of medical products and the availability of only a limited number of retailers. Patients are often the victims of these policy regimes, and are forced to face high product costs, limited product availability and limited retail access. Insufficient laboratory licensing can also contribute to limited product availability and high product costs by creating a bottleneck in the supply chain. ASA encourages states to work to address these challenges in their medical programs in the 2022 legislative session.

**Affordability:** Patients responding to ASA's 2021 patient

survey again expressed concerns with affordability. This includes the high costs for enrollment into the medical cannabis program, the cost for the doctor appointment(s) to receive a recommendation, as well as the cost of the products themselves. Given the rise in recreational adult-use cannabis laws across the country, it is more important than ever to ensure that both the administrative process and the medical cannabis products themselves are affordable for patients. Taxes allocated for the adult use program should not be imposed on the medical program and it should not be more expensive or onerous for patients to buy medical cannabis products.

**Product Testing and Labeling:** Requiring licensed laboratories to screen for harmful molds, pesticides, heavy metals, and other contaminants is important to keep patients safe, however equally as important are requirements that labs identify the full spectrum of plant compounds and terpenes present in medical products being sold to patients. After testing to ensure product safety, states should also require that adequate labeling standards capturing this information are put in place to convey testing results to patients and medical cannabis dispensary staff.

Considerations for pesticide use limitations and encouraging sustainable best practices are an important factor in the production of safe medicine. In the event a product does not meet specifications, all operators should be prepared to conduct a recall, and states should require that all operators have policies and procedures for receiving complaints and reports of adverse events. Oftentimes states only require this of dispensaries that are interacting directly with medical cannabis patients, however all products should be labeled such that the cultivator or manufacturer is identified and provide contact information for those businesses as well.

**Lack of Insight on Federal Policy:** While medical cannabis programs are completely in state control, one common theme among all legislatures is the open question about federal intervention and/or penalties. States have been far more responsive to patient needs than the federal government, which still does not formally allow for the medical use of cannabis. Federal inaction creates a backlog of patient issues in which state legislators and regulators need federal guidance. Until the federal government acts, important protections like the right to access cannabis on school grounds, safety in federal

housing, and many more issues face legislative and regulatory hurdles that are hard for patients and states to overcome. State policymakers should be bringing this to the attention of their federal counterparts and demanding answers. One way to begin is by passing ASA's Federal Guidance resolution, the text of which is included in this report, in your state chamber.

GRADING SUMMARY

ASA's evaluations of state grades are based on an analysis of the individual laws and policies which govern each state's medical cannabis program. We look at state programs both in isolation as well as in comparison to other state models to determine scoring standards that can be reasonably applied across the board. This report is designed to show that even the states with high scores can and should make improvements, and to highlight the specific advancements that states and territories should pursue to improve medical program function and cost to patients.

Only 7 states - Arizona, Arkansas, Louisiana, New Hampshire, North Dakota, Rhode Island, and Utah - earned enough new points since this report was issued last year to increase their grade. All other states either showed no improvement or received a lower grade. Illinois for example, which had achieved a rare A- in last year's report, was reduced to a B+. This trend demonstrates that even after initial medical programs open there is still a considerable need for lawmaker and regulator engagement with patients and stakeholders to identify challenges and make improvements that result in better outcomes for patients.

Continuing the trend in earlier reports, none of the states which have put into place CBD-only programs have received passing grades. West Virginia remains the only state with a full medical cannabis program to receive a failing grade while Louisiana's, Missouri's, and Utah's ongoing struggles with program implementation have kept these programs in D-grading territory.

2021 MEDICAL CANNABIS PROGRAM GRADE DISTRIBUTION CHART

A+	0
A	0
A-	0
B+	0
B	1
B-	1
C+	10
C	6
C-	5
D+	8
D	9
D-	2
F	13

States in Order of Overall Score		
State/Territory	Overall Score %	Adjusted
Maine	76.14%	B
Illinois	71.86%	B-
Nevada	69.71%	C+
California	69.43%	C+
Rhode Island	69.14%	C+
Maryland	67.00%	C+
Ohio	66.86%	C+
Delaware	66.00%	C+
Colorado	65.71%	C+
Missouri	65.14%	C+
Pennsylvania	65.00%	C+
New Jersey	64.71%	C+
Michigan	64.57%	C
Massachusetts	63.57%	C
District of Columbia	62.57%	C
Oklahoma	62.29%	C
Connecticut	59.71%	C
New Mexico	59.00%	C
Washington	57.43%	C
Arizona	55.86%	C-
South Dakota	55.00%	C-
Oregon	53.43%	C-
Guam	53.29%	C-
Alaska	49.71%	D+
Minnesota	49.43%	D+
Virginia	49.43%	D+
Florida	48.71%	D+
Montana	48.14%	D+
West Virginia	47.71%	D+
Hawaii	47.43%	D+
Arkansas	46.29%	D+
New Hampshire	45.86%	D
Louisiana	45.29%	D
Utah	45.29%	D
US Virgin Islands	44.00%	D
New York	42.14%	D
Puerto Rico	39.14%	D
CNMI	38.71%	D
Iowa	38.57%	D
Vermont	38.29%	D
North Dakota	34.43%	D-
Alabama	34.00%	D-
Texas	26.14%	F
Georgia	21.43%	F
Wisconsin	15.86%	F
Indiana	14.71%	F
Tennessee	12.00%	F
Wyoming	11.29%	F
South Carolina	10.14%	F
Kentucky	9.86%	F
North Carolina	8.86%	F
Kansas	7.43%	F
Mississippi	7.29%	F
Idaho	0.00%	F
Nebraska	0.00%	F

## GOLD STANDARDS

While the scorecard assigns grades based on the overall quality of each state’s medical cannabis laws, we think it is important to highlight the states that scored the highest for each category. As policymakers work to advance medical cannabis law, these states may help to serve as a guide.

### Patient Rights & Civil Protectionss

**Delaware, Illinois, Maine, Minnesota, South Dakota, U.S. Virgin Islands — 90%**  
*Average Score — 57.47%*

Patient rights and civil protections are the legal cornerstone of medical cannabis laws. Without these protections, patients are continually at risk for legal retribution, either criminal or through civil or custody suits, for behavior allowed under their state’s medical cannabis law.

Delaware, Illinois, Maine, Minnesota, South Dakota, and the U.S. Virgin Islands all received top marks in this category by providing full arrest protections and providing for an affirmative defense in court, employment protections for medical cannabis patients and caregivers, and explicit privacy standards. With the exception of Illinois, each of these states also provide full parental rights protections, barring evidence of medical cannabis use from being offered as evidence against a parent during custody proceedings.

To receive full marks in this category, each state and the U.S. Virgin Islands should make it a priority to protect medical cannabis patients from erroneous Driving Under the Influence of Drugs (DUID) charges. In most states, if an individual tests positive for THC, even if they were not intoxicated at the time, they are guilty of DUID regardless of their status as a medical patient. All states must ensure that individuals are not at legal jeopardy of DUID just for testing positive for THC, which stays in a person’s system well after the intoxicating effects have worn off.

#### Areas for Improvement:

- DUID Protections
- Parental rights and protections (Illinois)

### Access to Medicine

**Maine — 95%**  
*Average Score — 39.47%*

Medical cannabis laws are useless if they do not provide ways for patients across the state to easily access their medication. This year, Maine came the closest to providing comprehensive access and earned 95% in this category.

While dispensaries are one big area by which states can provide access to patients, Maine has recognized the need and right for medical cannabis patients to grow their own medicine. The state has also provided alternative access methods, like delivery and curbside pickup, to better serve patients who may have trouble getting to, or in, brick and mortar dispensaries to purchase their medicine.

#### Areas for Improvement:

- Approve more dispensary licenses, particularly in rural or currently underserved areas of the state
- Offer full reciprocity to all out-of-state medical cannabis patients

### Program Functionality

**Maine — 100%**  
*Average Score — 60.84%*

In order to truly provide safe, legal and affordable access to cannabis for patients, state medical cannabis programs must function smoothly with little to no administrative or supply programs. While these aspects may be less noticeable to patients in their day to day activities within the program, they are just as important in ensuring patients have the medication they need.

Maine received full credit in this category, which demonstrates their acknowledgement that what goes on behind the scenes of the program is just as important as the side patients see day-to-day. This includes having reasonable standards and requirements for caregivers and physicians, allowing telemedicine for certification, allowing reasonable purchase and possession limits for patients, and including physicians and patients in program decision-making.

#### Areas for Improvement:

- Continue streamlining the administrative process
- Remove any burden from the patient

### Affordability

**Illinois — 65%**  
*Average Score — 39.69%*

For many cannabis patients, affordability is the most important aspect in determining whether they can access their medication once states allow for medical cannabis. People living with disabilities, chronic conditions, terminal illnesses, and comorbidities often worry about affording their cannabis, which is not covered by any insurance and must be paid for wholly out of pocket, in addition to their other health expenses.

Affordability not only covers the price of cannabis, but ancillary expenses as well, including administrative costs to register and maintain a valid registry as well as doctors visits for certification. States should not only look at the average price for cannabis products, but the entire cost to patients when evaluating whether the program is affordable.

Every state and territory should focus on affordability as they implement or improve their programs. Illinois, this year’s gold standard state in Affordability, only earned 65% of the possible points and many states scored well below that. Illinois does a number of things right, including giving sales tax breaks to medical patients and allowing for multi-year registrations which cut down on the cost for regular doctors visits for patients certification. Illinois also has a reasonable registration fee at \$50 for one year or \$100 for two, and provides financial hardship waivers or discounts to low-income patients.

While Illinois did receive full points for reasonable registration fees, ASA encourages all states to change their policies to allow for free patient registration into the program. Cannabis patients should not have to face additional financial hurdles just to be allowed to purchase medication.

#### Areas for Improvement:

- Covered by state insurance or health aid
- Donation program



Health & Social Equity

Ohio — 90%

Average Score — 45.20%

Health issues and available treatments do not change depending on a person's age, race, income level, geographic location in the state, or any other social determinant. States must ensure that all individuals, regardless of their personal situations, have the safe and legal access to cannabis medicine they deserve.

Ohio provides for many, but not all, health and social equity situations to ensure that most patients are protected in the state. In Ohio, this includes protecting state benefits for cannabis patients, providing housing protections for those who do not own their own house, and including a comprehensive qualifying condition list. Ohio also provides some access for minors, although this should be improved to ensure that minors do not face additional hurdles to access simply because of their age. The state also has a fair ratio of medical dispensaries located throughout the state; this means that a good number of patients have access to a close dispensary. However, Ohio should look to improve this ratio and prioritize licenses for dispensaries in areas of the state that may still be underserved. Finally, while Ohio does protect patients using medical cannabis in their housing, the state must do more to guarantee that all patients can access, and use, their medication where they choose.

Areas for Improvement:

- Access for minors
- Access in underserved areas
- Allow patients to medicate where they choose
- Open the industry to diverse owners

Consumer Protection & Product Safety

Nevada — 84%

Average Score — 40.75%

This year, the top scoring state for Consumer Protection and Product Safety was Nevada. Nevada received full points for Staff Training and Quality Management Systems for all operation types, however fell short on full points for environmental impact regulations. While they do limit the pesticides that can be used, operators are only responsible for the costs of any environmental cleanups that may need to happen but don't require any proactive approaches such as sustainable cultivation, renewable energy, and plastic-alternative packaging.

Nevada requires the full suite of product testing, including for potency (cannabinoids and terpenes) as well as contaminants including pesticides, heavy metals, and residual solvents. They also require homogeneity testing for edibles, which many states often fall short of. Nevada's labeling requirements includes disclosure on if any pesticides were used during cultivation and requires that all laboratory testing Certificates of Analysis be disclosed to consumers so that they have knowledge of the product they are consuming.

Of concern though, is the lack of requirements around complaints, adverse events, and recalls. While many states often place this requirement on dispensaries alone, Nevada does not have rules in place that require each operator to be prepared to receive complaints, to investigate the complaint and identify if it is an adverse event, and, ultimately, if the product needs to be recalled. While all operators want to avoid a recall, Nevada must have a system in place that guides operators on how to proceed in the event one is necessary. Were Nevada to add in these requirements their score would be boosted by 25 points, bringing it to 96.5% and almost the full points available.

Overall, Nevada is taking the steps necessary to ensure that only compliant products reach the shelves. Employee training and use of standard operating procedures are key elements in providing consistent products that are free from adulteration or contamination. Additionally, product testing requirements aim to ensure that only products that meet the safety standards are on the shelves, and that the products are labeled such that the consumer has full knowledge of the ingredients.

Areas for Improvement:

- Require each operator to implement complaint, adverse event, and recall policies and procedures
- Include stronger environmental impact regulations
- Add workplace safety to training requirements for cultivators and dispensaries

# Appendix 1

## UNIVERSAL IMPROVEMENTS & MODEL LEGISLATION

UNIVERSAL  
IMPROVEMENTS &  
MODEL LEGISLATION

Even though each state medical cannabis law is unique and no universal standard or governmental guidance exists to assist lawmakers, there are a number of common deficiencies across many states. While this list is certainly not exhaustive, ASA offers some universal steps that every state can take to improve their respective programs.

Growth Among the Patient Population

Growth in patient registrations was a national trend between 2020 and 2021, even among the states where all adults have retail access. Across the country, only four states saw a decline in patient enrollment between 2020 and 2021. There are now 13 states with over 100,000 patients, and five with over 300,000 patients; in total there are now over 5 MILLION medical cannabis patients across the United States, an increase of a million patients since our last report!

Insurance Coverage

When looking at the 2021 state data in aggregate, the clearest issue among all states is the affordability of medical cannabis. ASA conducted a survey in 2021 revealing that over 70% of medical cannabis patients believe that their medicine is not affordable, with almost a quarter of patients surveyed indicating that their medicine is often so cost prohibitive that they must go without treatment. This year's Gold Standard state for Affordability went to Illinois, which only managed to earn 65% in this category. This is a clear indicator that we have a long way to go when it comes to providing patients with affordable options for accessing medical cannabis. At the forefront of this issue is the unavailability of insurance to cover the cost of the medicine.

Some states have worked to clarify the role of insurance and insurance companies when it comes to medical cannabis. New York has indicated that insurance coverage must apply for visits to physicians' offices relating to medical cannabis as long as obtaining a recommendation is not the sole reason for the visit. Denial of coverage of visits where medical cannabis is discussed is unlawful under New York state law. However, insurers are currently under no obligation to pay for actual medical cannabis or medical cannabis products. Other states have approved Workers' Compensation to cover medical cannabis.

ASA urges all policymakers to work to make medical cannabis affordable in their state by adopting legislation with the following language:

*A carrier offering a health plan in this State shall provide coverage for cannabis for medical use for an enrollee who has received certification for the medical use of cannabis from a medical provider under [State Law]*

Let Healthcare Practitioners Decide

Too many states limit which patients can qualify for medical cannabis by arbitrarily listing conditions while excluding others. Recommending cannabis for medical purposes should be left to the discretion of physicians and other healthcare providers. Healthcare providers are in the best position to review a patient's medical history, symptoms, and physiological responses to medicine. A patient should not be required to have to try other options first that fail to help them before being recommended cannabis. A healthcare practitioner should be able to recommend medical cannabis as a first level of treatment, simply if they believe their patient will benefit, as is medical practice for other treatment options. Policymakers should refrain from limiting the use of medical cannabis to only those with debilitating medical conditions, and ensure that physicians are free to make treatment determinations based on their medical judgment. ASA urges all policymakers to work to make medical cannabis accessible in their state by adopting legislation with the following language:

*"Authorized practitioner" means a physician, advanced practice registered nurse, physician assistant, dentist, or naturopathic physician who is licensed and in good standing to practice under [STATE] law.*

*"Qualifying medical condition" means any condition for which treatment with medical cannabis would be beneficial, as determined by the patient's authorized practitioner*

Allowance for Cannabis Use for Terminally Ill Patients at Healthcare Facilities

On September 28, 2021, Governor Gavin Newsom signed SB 311, also known as "Ryan's Law", requiring healthcare facilities to allow the use of medical cannabis on their premises for terminally ill patients with a valid medical cannabis card or recommendation from their physician. The law went into effect January 1, 2022, and applies to all CA health care facilities including acute

care hospitals, special hospitals, skilled nursing facilities, congregate living health facilities, or hospice providers (excluding chemical dependency recovery hospitals and state hospitals). Under this law, terminally ill patients are defined as a patient with a medical condition resulting in a prognosis of life of one year or less if the disease follows its natural course.

While "Ryan's Law" provides a template for other states to allow medical cannabis in healthcare facilities for terminally ill patients, they are not the only patients who may need access to medical cannabis in healthcare facilities. ASA encourages all states to broaden the scope of this law to ensure that any patient in the state can access their medical cannabis treatment inside health facilities, including hospitals, nursing facilities, congregate living health facilities, or any other health facility environment.

Definitions

*"Healthcare facility" means all healthcare facilities including acute care hospitals, special hospitals, skilled nursing facilities, or hospice providers (excluding chemical dependency recovery hospitals).*

*"Terminally ill patient" means a medical condition resulting in a prognosis of life of one year or less, if the disease follows its natural course.*

Statutory Language

*1. (a) A healthcare facility shall permit patient use of medical cannabis and shall do all of the following:*

*(1) Include the use of medicinal cannabis within the patient's medical records.*

*(2) Require a patient to provide a copy of the patient's valid identification card, or a copy of that patient's written documentation*

*(3) Reasonably restrict the manner in which a patient stores and uses medicinal cannabis, including requiring the medicinal cannabis to be stored in a locked container, to ensure the safety of other patients, guests, and employees of the health care facility, compliance with other state laws, and the safe operations of the health care facility.*

*(4) Develop and disseminate written guidelines for the use of medicinal cannabis within the health care facility pursuant to this chapter.*

*2. Notwithstanding the classification of medicinal cannabis as a Schedule I drug and any other law, health facilities permitting patient use of medicinal cannabis shall comply with drug and medication requirements applicable to Schedule II, III, and IV drugs and shall be subject to enforcement actions by the State Department of Public Health.*

*3. (a) Compliance with this chapter shall be a condition for obtaining, retaining, or renewing a license as a healthcare facility.*

*(b) This chapter does not reduce, expand, or otherwise modify the laws restricting the cultivation, possession, distribution, or use of cannabis that may be otherwise applicable, including, but not limited to, the Control, Regulate and Tax Adult Use of Marijuana Act, an initiative measure enacted by the approval of Proposition 64 at the November 8, 2016, statewide general election, and any amendments to that act.*

*4. (a) If a federal regulatory agency, the United States Department of Justice (US DOJ), or the federal Centers for Medicare and Medicaid Services (CMS) takes one of the following actions, a health care facility may suspend compliance with Section 1649.2 until the regulatory agency, the US DOJ, or CMS notifies the health care facility that it may resume permitting the use of medicinal cannabis within the facility:*

*(1) A federal regulatory agency or the US DOJ initiates enforcement action against a healthcare facility related to the facility's compliance with a state-regulated medical cannabis program.*

*(2) A federal regulatory agency, the US DOJ, or CMS issues a rule or otherwise provides notification to the health care facility that expressly prohibits the use of medical cannabis in health care facilities or otherwise prohibits compliance with a state-regulated medical cannabis program.*

*(b) This section does not permit a healthcare facility to prohibit patient use of medicinal cannabis due solely to the fact that cannabis is a Schedule I drug pursuant to the federal Uniform Controlled Substances Act, or other federal constraints on the use of medicinal cannabis that were in existence prior to the enactment of this chapter.*



Alternative Accessibility Methods

Prior to 2020, very few states provided alternative accessibility methods, like delivery and curbside pickup, for cannabis patients. During the height of the COVID-19 pandemic, many states rightfully acknowledged that access to medical cannabis was essential for patients and instituted temporary measures.

In March 2020, ASA convened a working group to engage governors and directors of state medical cannabis programs to ensure that patients continue to have access to medical cannabis during the crisis, and that the supply chain that patients rely on for medicine is not interrupted while governors were developing COVID emergency plans.

ASA and its stakeholders recommended that all governors and/or medical cannabis directors put the following measures into place to ensure that patients, many of whom represent our nation's most vulnerable population, are protected:

- Ensure that cannabis businesses that serve patients are considered "essential" businesses.
- Instruct medical cannabis businesses on how they can make legal temporary changes to their business plans, including delivery and purchase limits to accommodate patients and staff during the crisis.
- Give tax relief to patients and businesses.
- Allow cultivation and processing centers to stay open to ensure medicine in the future.
- Extend the expiration date of state-issued cannabis identification cards so that doctors and other health care providers can focus on COVID-19.
- Permit authorized caregivers to serve additional patients during the crisis period.
- Allow telehealth visits for new and renewing medical cannabis patients.
- Allow dispensaries to provide curbside pickup and home delivery options for qualifying patients and caregivers.

Because these measures work and are so beneficial to patients, many states opted to make these permanent changes to their medical cannabis programs. Now there are 8 states that have implemented at least one permanent alternative accessibility option while the majority of states have continued renewing these temporary policies.

Allowing for delivery of medicine and an option for curbside pickup are compassionate and common-sense solu-

tions for patients and are necessary to achieve parity with existing delivery services for patients utilizing prescription or over the counter medicine from local pharmacies. Just as with pharmacy delivery models, common-sense regulations and protocols can be, and have successfully been, organized to ensure safety and discretion.

Further, many states choose to give enormous autonomy to local jurisdictions, allowing each town and city to decide whether patients can access medical dispensaries locally. Several problems exist in California where these local bans on medical cannabis facilities have created large areas where it is extremely difficult for patients to gain access to their treatments. Even in states that do not allow local jurisdiction control, legislation or regulations often arbitrarily limit the number of dispensary licenses, meaning that most patients within the state are required to travel long distances to access medical cannabis. Having a functioning delivery system is critically important to providing patients with medicine, particularly those with medical conditions that impact physical mobility or limit their ability to travel or drive, particularly when a dispensary is not located close by.

Curbside pickup is also critical to patient access, particularly for those whose conditions impact mobility or communication. Many patients will benefit from allowing them to place orders through an online portal for dispensary workers to deliver to their vehicle, and confirm any information the state program requires, outside of the dispensary.

For policymakers, allowing for delivery and curbside pickup should be small, common sense steps toward accessibility - but for some patients, this could mean the difference between being able to access their medication or not.

ASA urges all policymakers to work to make medical cannabis accessible in their state by adopting legislation with the following language (note: dispensary is used as a placeholder for how the state defines cannabis businesses):

Definitions

*"Delivery" means the transportation of usable cannabis and related supplies to a consumer. "Delivery" also includes the use by a [dispensary] of any third-party technology platform to receive, process, and fulfill orders by legal consumers, provided that any physical acts in connection with filling the order and delivery shall be accomplished by an employee of the [dispensary].*

*"Delivery employee" means an individual employed by a [dispensary] who delivers cannabis and related supplies from the dispensary premises to a legal consumer at a physical address.*

*"Transport" means the transportation of cannabis from a cultivation, processing, manufacturing or distribution site to a dispensing site approved, and the transportation of cannabis among and between sites, but does not include delivery of cannabis to consumers*

Statutory Language

- (1) Deliveries and curbside pickup for orders may only be made by a licensed [dispensary].
- (2) Deliveries and curbside pickup shall be made only to a legal consumer by an employee of the [dispensary].
- (3) A [dispensary] shall not deliver to an address located on land owned by the federal government or any address on land or in a building leased by the federal government.
- (4) A [dispensary] shall staff each delivery vehicle with an employee who shall be at least 21 years of age.
- (5) Each delivery employee shall carry a copy of the [dispensary] employee identification card. The employee shall present the [dispensary] employee identification card upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing these rules.
- (6) Each delivery employee shall have access to a secure form of communication with the dispensary [dispensary], such as a cellular telephone, at all times that the vehicle contains medicinal cannabis.
- (7) A delivery employee, during a delivery, shall maintain a physical or electronic copy of the delivery request and shall make it available upon request of the licensing authority and law enforcement officers.
- (8) A delivery vehicle must be equipped with a secure lockbox, container, or cage in a secured cargo area, which shall be used for the sanitary and secure transport of cannabis.
- (9) A delivery employee shall not leave cannabis goods in an unattended motor vehicle unless the motor vehicle is locked and equipped with an active vehicle alarm system.

(10) A delivery vehicle shall contain a Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle. The device shall be either permanently or temporarily affixed to the delivery vehicle while the delivery vehicle is in operation, and the device shall remain active and in the possession of the delivery employee at all times during delivery. At all times, the [dispensary] shall be able to identify the geographic location of all delivery vehicles that are making deliveries for the [dispensary] and shall provide that information to the Division upon request.

(11) A [dispensary] shall, upon request, provide the regulatory authority with information regarding any motor vehicles used for delivery, including the vehicle's make, model, color, Vehicle Identification Number, license plate number and Department of Motor Vehicles' registration.

(12) A [dispensary] shall ensure that vehicles used to deliver cannabis bear no markings that would either identify or indicate that the vehicle is used to deliver cannabis.

(13) A [dispensary] shall ensure that deliveries are completed in a timely and efficient manner.

(14) A [dispensary] delivery employee, while making deliveries, shall not carry cannabis goods valued in excess of \$10,000 at any time. This value shall be determined using the current retail price of all cannabis goods carried by the delivery employee.

(15) A delivery employee, while making deliveries, shall only travel from the [dispensary] licensed premises to the delivery address; from one delivery address to another delivery address; or from a delivery address back to the [dispensary]'s licensed premises. A delivery employee shall not deviate from the delivery path described in this section, except in the event of emergency or as necessary for rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route or operation of the vehicle unsafe, impossible, or impracticable.

(16) A [dispensary] shall maintain a record of each delivery of cannabis in a delivery log, which may be written or electronic.

(17) A [dispensary] shall report any vehicle accidents, diversions, losses, or other reportable events that occur during delivery to the appropriate authorities.

(18) A [dispensary] employee shall not consume cannabis goods while delivering cannabis goods to customers.

Civil Rights Protections

While a state may have a functioning medical cannabis program that protects patients from criminal penalties, people may be hesitant to participate in a medical cannabis program if they could lose their housing, jobs, family or other rights. Every state with a medical cannabis program would be benefited by adopting the below language that relates to the protection of civil rights, as these provisions relieve some of the concerns that patients face when dealing with the implied costs of being a medical cannabis patient.

Statutory Language

(A) Unless a failure to do so would cause the employer to lose a monetary or licensing-related benefit under federal law or federal regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, based upon either of the following:

- 1. The person's status as a qualifying patient, caregiver, cardholder, or employee at a cannabis business; or
- 2. A qualifying patient, caregiver, or cardholder tests positive for cannabis components or metabolites, unless the individual was impaired by cannabis on the premises of the place of employment or during the hours of employment.

(B) Unless required by federal law or required to obtain federal funding, no landlord may refuse to rent a dwelling unit to a person or take action against a tenant solely on the basis of an individual's status of a qualifying patient or cardholder, or based on any behavior or actions allowed, under this act.

(C) For the purposes of medical care, including organ transplants, a qualifying patient's medical use of cannabis does not constitute the use of an illicit substance or otherwise disqualify a qualifying patient from medical care.

(D) Neither the presence of cannabinoid components or metabolites in a person's bodily fluids, nor conduct related to the medical use of cannabis by a custodial or noncustodial parent, grandparent, pregnant woman, legal guardian, or other person charged with the well-being of a child, shall form any basis for any action or proceeding

by a child welfare agency or a family or juvenile court. This subsection shall apply only to conduct in compliance with this chapter.

(E) Health care practitioners shall not disqualify or refuse to provide care for a patient due to positive urinary or blood test results indicating the presence of cannabis or cannabis metabolites including tetrahydrocannabinol, nor shall the presence of compounds of cannabis or cannabis metabolites be a reason for the cessation of care.

(F) A medical cannabis patient or caregiver licensee shall not be denied the right to own, purchase or possess a firearm, ammunition, or firearm accessories based solely on his or her status as a medical cannabis patient or caregiver licensee.

Prioritize Consumer Protections and Product Safety

In regards to Consumer Protection and Product Safety, there are many opportunities for states to make improvements. Quality management systems and staff training alone can help a large number of states increase their ability to provide safe access for patients. Quality management systems are best practices that are put into place that govern how the operator cultivates, manufactures, and tests cannabis products. These are often identified in Standard Operating Procedures (SOPs). Employee training is also a critical aspect in helping to ensure that operations are conducted safely and in a way that will not adulterate or contaminate products. In addition to the training required to perform their job, ASA urges all companies to provide training on cannabinoids and terpenes, product dosing, and methods of administration.

ASA also encourages that all operators, not just dispensaries, be required to have policies and procedures for the receipt of complaints and adverse events and be prepared to conduct a recall. Many states have recall requirements, however a large number fail to include complaints and adverse events. Lastly, states should put a greater focus on creating and maintaining environmental impact regulations. These regulations range from sustainable cultivation practices and utilizing alternative energy sources to reducing the amount of plastic in packaging and having recycling programs for vaporizer batteries.

Track-and-Trace Safeguards

In 2011, Colorado led the development of the first seed-to-sale system (also known as "track-and-trace") to help

identify and track legal cannabis products. Since then, over 30 states require a centralized seed-to-sale solution to create a closed-loop system for legal cannabis, improve product and patient safety, and ensure proper tax compliance.

Seed-to-sale systems provide a secure and credible regulatory structure for cannabis, as called for in the original Cole Memo. They create a level playing field for businesses by increasing transparency, helping prevent diversion of product, and making it more difficult for bad actors to evade patient protections and regulatory oversight.

Furthermore, these systems support patient and public safety by tracking products to their origin and destination in case of recalls, ensuring third-party laboratory test results are linked to final products, and preventing any products that fail testing from moving through the supply chain – aspects that directly support ASA's Patient Focused Certification (PFC) standards.

Finally, they promote tax compliance from licensed businesses, validating the funding source for many state programs that are often used for medical research studies.

ASA strongly recommends all states to develop strong seed-to-sale language to help ensure that patients remain safe, and the regulated market remains secure, by adopting legislation that includes the following language:

Statutory Language

The Agency shall promulgate rules and issue regulations necessary for the implementation and enforcement of this Act. The rules shall include a statewide seed-to-sale tracking system that tracks legal cannabis throughout the supply chain from either the seed or immature plant stage until the cannabis, cannabis product, or cannabis-infused product is sold to a patient to ensure that no cannabis, cannabis products or cannabis-infused products are sold or otherwise transferred except as authorized by law and to aid the Agency in ensuring compliance with this Act and the rules promulgated by the Agency. The rules and regulations pertaining to a seed-to-sale tracking system shall at a minimum include:

- 1. Designation of a single, statewide seed-to-sale platform for plant- and product-compliance reporting by licensed cannabis businesses;

- 2. Mandatory compliance with the designated seed-to-sale tracking system by all licensed cannabis businesses and establishment of fines, fees, and penalties for non-compliance;

- 3. Mandatory compliance with the designated seed-to-sale system for cannabis Testing Labs to ensure testing results and/or certificates of analysis are reported directly to the seed-to-sale tracking system;

- 4. Requiring the use of unique identification tags that are to be affixed to product packages and individual plants for the purpose of identifying legal cannabis and related records;

- 5. Requiring that records entered into the seed-to-sale tracking system shall include each day's beginning inventory, harvests, acquisitions, sales, disbursements, remediations, disposals, transfers, ending inventory, test results, and any other data necessary for inventory control records in the statewide seed-to-sale tracking system;

- 6. Requiring that each licensed cannabis business be responsible for ensuring that all cannabis sold or disbursed to a registered qualifying patient or registered designated caregiver is recorded in the seed-to-sale tracking system as a purchase by or on behalf of the applicable registered qualifying patients;

- 7. Maintaining the confidentiality of all patient and caregiver data and records accessed or stored by the system such that all persons or entities other than the Agency may only access the information in the system that they are authorized by law to access;

- 8. Providing the Agency with access to all inventory records stored in the system's database and producing analytical reports to the Agency regarding records entered into the seed-to-sale tracking system.

Increasing Cannabis Education

Education for healthcare providers as well as staff at medical cannabis businesses is not required in every state. Having strong training programs mandated or accessible improves the overall understanding of cannabis as a medicine. ASA urges lawmakers to adopt education standards through partnering with ASA's Patient Focused Certification (PFC) and Cannabis Care Certification (CCC) programs.



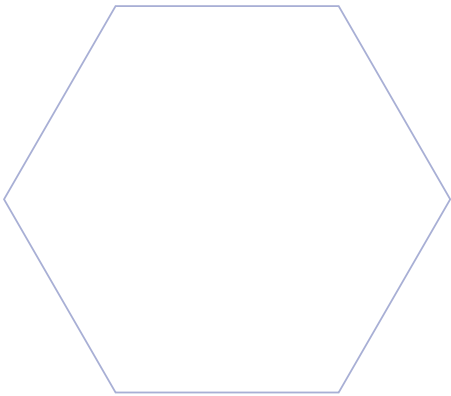
The PFC program prepares individuals to understand state and local regulations and to learn required safety and operational protocols, while teaching them the basics of cannabis as medicine and common therapeutic uses of cannabis. PFC trainings are available to anyone interested in learning more about medical cannabis. Training is available from single discipline certification to multi-discipline certification in four disciplines: Cultivation, Manufacturing, Distribution, and Laboratory.

Trainings are available in-person or online.

Furthermore, PFC recently achieved accreditation to the ISO/IEC 17065:2012 (Certificate #5284.01) standard for certifying bodies making it the first and only compliance program to obtain this international accreditation in the cannabis and hemp industries.

The CCC program offers patient and caregiver education as well as continuing medical education (CME) credits for medical professionals. The medical professional course offering created for medical professionals was approved under the latest rules for dealing with controversial subjects in CME programs and provides physicians, pharmacists, nurse practitioners, nurses, and psychologists with the highest quality peer-reviewed and accredited educational content focused on medical cannabis and the endocannabinoid system. The content provides Accreditation Council for Continuing Medical Education (ACCME), Accreditation Council for Pharmacy Education (ACPE), American Academy of Nurse Practitioners (AANP), American Nurses Credentialing Center (ANCC), and American Psychological Association (APA) credits.

For more information on PFC and CCC, visit [www.PatientFocusedCertification.org](http://www.PatientFocusedCertification.org) and [www.CannabisCareCertification.org](http://www.CannabisCareCertification.org).



# Appendix 2

## RECOMMENDATIONS FOR REGULATORS

RECOMMENDATIONS FOR REGULATORS

Since the release of the American Herbal Products Association (AHPA) and American Herbal Pharmacopoeia (AHP) guidelines, more than 16 states have used them as legislative and regulatory tools to create comprehensive product safety rules and regulations. However, these new regulations will only be effective with proper oversight and enforcement. To aid government agencies in these efforts, Americans for Safe Access (ASA) created the Patient Focused Certification (PFC) program. PFC is a non-profit, third-party certification program for the cannabis industry and the nation's only certification program for the AHPA and AHP standards. PFC is available to companies cultivating, manufacturing, or distributing cannabis and hemp products, as well as to laboratories providing cannabis analytic services.

As with other industries, oversight of cannabis and cannabis products are constantly evolving. PFC verifies compliance with state and local laws as well as the AHPA and AHP standards. PFC is similar to other nationally recognized certification programs including United States Pharmacopeia (USP), Good Housekeeping, NSF International, and the International Organization for Standardization (ISO). PFC has a partnership with the leading ISO accreditation body in the United States, the American Association for Laboratory Accreditation (A2LA), to conduct dual PFC and ISO/IEC 17025 accreditations.



Appendix 3

STATE GOVERNMENT'S  
ROLE IN ENDING FEDERAL  
PROHIBITION

Advancing Legal Medical Marijuana Therapeutics and Research

Americans for Safe Access (ASA) is the largest national medical cannabis patient advocacy organization with over 150,000 supporters that work to pass laws in all 50 states and in Congress.

ASA was founded in 2002 as a vehicle for patients to advocate for the acceptance of cannabis as medicine. ASA works to overcome political, social and legal barriers by creating policies that improve access to medical cannabis for patients.

ASA educates, provides advocacy training, and certifies cannabis and hemp businesses through its Patient Focused Certification program.

Since 2002, ASA has had a hand in passing medical cannabis laws in 37 states. Now, ASA is working to pass medical cannabis laws at the federal level.

*Please do your part and advocate with us!*

[www.SafeAccessNow.org](http://www.SafeAccessNow.org)

**Your Online Cannabis Business Training/Certification Solution**

Introducing the **first** and **only** accredited cannabis standard setting body in the U.S.

Our program certifies all licensed cannabis and hemp businesses to the PFC Standard in the areas of:

- Cultivation and Processing
- Manufacturing, Packaging, Labeling and Holding
- Distribution and Dispensary
- Laboratory
- Health and Sanitation

[www.PatientFocusedCertification.org](http://www.PatientFocusedCertification.org)



STATE GOVERNMENTS’  
ROLE IN ENDING FEDERAL  
PROHIBITION

While states continue to develop policy, one critical piece of the legislative puzzle is missing: the role of the federal government. Over the last few years, interest in federal reform has grown exponentially, with dozens of lawmakers introducing solutions to resolve the federal-state conflict of cannabis laws. While many of these bills focus on important topics like criminal justice reform and de-scheduling cannabis, a very few envision any regulatory role for the federal government. As federal lawmakers grapple with cannabis proposals, it is critical that state governments demand federal participation that is effective and provides for safe cannabis without being overly burdensome on existing state regulatory frameworks.

For 25 years state governments have implemented medical cannabis laws despite a federal prohibition. In the beginning of this experiment, the clash in laws meant navigating paramilitary raids on medical cannabis patients and their providers, fighting subpoenas of patient records, finding creative ways to create business licensing infrastructures. It has also meant that states have had to silo these businesses from other industries and have had to use state resources to create product safety standards, testing protocols and agricultural guidance.

In 2016, Americans for Safe Access successfully passed an amendment to the Department of Justice budget prohibiting the use of federal funds in prosecuting medical cannabis patients and their providers. This victory took the most visible issue of federal prohibition off the table. Today, 36 states and 5 territories have created medical cannabis programs. The federal prohibition continues to create a burden for states, patients and the businesses providing medical cannabis.

As illustrated in the report, many states have worked diligently to pass laws and regulations to improve the lives of medical cannabis patients. However, until the federal prohibition of medical cannabis is overturned, states can only do so much. Today over 45 countries have passed federal medical cannabis laws and the UN has rescheduled cannabis allowing for its medical use internationally. National support for medical cannabis is over 90% and we need state governments’ engagement to make changing federal law a priority for Congress.

Comprehensive federal legislation would include 2 major elements: 1) Changing the schedule of cannabis into a newly created schedule (Schedule V(a) or exempting it from the Controlled Substances Act and 2) the creation of the Office of Medical Cannabis Control. Today, effective federal regulation of cannabis is strained by nearly a dozen agencies playing a role in the policy decision-making process. The Office of Medical Cannabis Control would create a central authority within the U.S. Government to work with state governments to regulate medical cannabis.

Federal Medical Cannabis Laws and the Impact  
on State Programs

**Impact on Patients:** The federal prohibition of medical cannabis categorizes those who need these treatments as second-class US citizens. These patients are not only left out of essential safety net programs such as federal housing or use of VA health services but also have issues traveling in the US, drug testing in their workplace, and out of pocket costs for healthcare and treatments. For the nearly 9 million Americans working for the federal government, these treatments are not even an option no matter what state they live in.

Furthermore, patients must bear the cost of state-siloed supply-chains and absorbent federal taxes put on cannabis businesses as they trickle down to the consumer. Patients are also stuck in stymied compassionate use programs, waiting for the government and cannabis businesses to create standardized, evidence-based medications they can depend on being in supply.

**Impact on the States:** Historically, states have incubated many new policies such as health care models and clean air legislation but in order for these policy platforms to reach their potential there is a point when they must be adopted into federal policy. That time has come for medical cannabis policy. Over the past 25 years, states have shouldered the burden of figuring out how to regulate cannabis. However, the federal prohibition makes sharing this work across state lines, utilizing resources from other established industries, and facilitating support with supply shortages difficult if not impossible.

States must also shoulder the burden of their residence that are left out of federal programs due to their medical cannabis use such as federal housing, VA programs, and even attendance in school. Not to mention the missed work days, prescription costs and even deaths of their residents left out of their medical cannabis programs due to

federal employment and drug testing. States must disproportionately deal with banking issues, using state policing and emergency services to deal with robberies and finding solutions for cannabis businesses to pay taxes in cash.

**Impact on Businesses:** While it is true that cannabis businesses have risen to meet supply demands for state-based medical cannabis programs needs at the best of their ability, the federal prohibition puts unneeded burdens on their daily operations and business plans. Strained supply chains, banking and taxing issues, constraints on research and robberies are issues that these businesses have to deal with on a daily basis. The lack of predictability in operations means that they have very little funds to focus on product development and must pass down the financial burden on to consumers, i.e patients.

Functional View of Medical Cannabis Programs  
in a Post-Prohibition Environment

For the most part the day-to-day experience of medical cannabis programs would stay the same. The most immediate change would be felt by the patient population. Patients would be able to travel to see loved ones, instead of having to choose between their medicine and federal support or employment in the private or public sector, they would see a drop in the cost of their medication, and they would be able to integrate their medical cannabis treatments into their existing medical care.

Comprehensive legislation would include 2 major elements: 1) Changing the schedule of cannabis into a newly created schedule (Schedule V(a) or exempting it from the Controlled Substances Act and 2) the creation of the Office of Medical Cannabis Control. Today, effective federal regulation of cannabis is strained by nearly a dozen agencies playing a role in the policy decision-making process. The Office of Medical Cannabis Control (OMCC) would create a central authority within the U.S. Government to work with state governments to regulate medical cannabis.

All cannabis-based licensing and oversight would be moved under this agency, allowing the OMCC to coordinate directly with state licensing agencies and streamline federal oversight. An example of this would be the DEA cultivation and manufacturing licenses, the OMCC would have control over these licenses and could work directly with states to grandfather state licensing into this program and coordinate on future licenses. Dispensaries and retail locations would receive specialty pharmacy licenses. Pharmacies could apply to state programs for

distribution allowances. Laboratories would be able to test cannabis with a license from the state.

We are calling on state legislators and offices of the governors of states with medical cannabis laws to join us in demanding a change in federal law. Please consider introducing and passing the “Equity for Medical Cannabis Patients Resolution.” Below you will find a draft of the resolution and information on getting additional resources and support for its passage.

I. Draft Equity for Medical Cannabis Patients  
Resolution

*Expressing the sense of the people of [State] that a new federal agency, the Office of Medical Cannabis Control, would be beneficial to public and individual health.*

**Whereas** there are over five million medical cannabis patients and over 20,000 cannabis businesses in the United States.

**Whereas** thirty-six states, the District of Columbia, and four of five U.S. territories have comprehensive medical cannabis legislation, with an additional fourteen states having cannabidiol legislation.

**Whereas** oversight authority of medical cannabis has been handled on the state and local level, rather than through the federal government, putting the United States at odds with the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, which requires a singular medical cannabis oversight body under Article 28.

**Whereas** the United States and its territories have created a patchwork of licensing, regulation, and enforcement laws that lack uniformity.

**Whereas** local level oversight of medical cannabis has led to greatly differing regulations on product safety, laboratory operations, taxation, pesticide use, civil rights and other areas where federal guidance exists in other industries.

**Whereas** current federal oversight from the Drug Enforcement Administration (DEA) and the National Institute on Drug Abuse focuses on punitive measures and the harms of cannabis, rather than the expansion of therapeutic outcomes, which is inconsistent with the WHO’s recommendations.

**Whereas** due to resource constraints and political ide-  
ations, the DEA has failed to act on over two dozen  
legitimate requests for research licenses.

**Whereas** Schedule I researchers in our State who  
do obtain the proper license may be forced to import  
cannabis from other countries or obtain cannabis that  
does not mirror what is otherwise available in [State's]  
markets to patients.

**Whereas** administrators of the Food and Drug Admin-  
istration and other agencies have called on Congress  
to resolve the conflict between state and federal laws  
and [State] is ready to work with all relevant Federal  
agencies.

**Whereas** research in the Journal of the American Med-  
ical Association has shown cannabis can play a critical  
role in reducing opioid overdose deaths, up to 25%,  
when compared to states without medical cannabis  
programs, and cannabis is widely used for alleviating  
the symptoms of numerous other medical conditions.

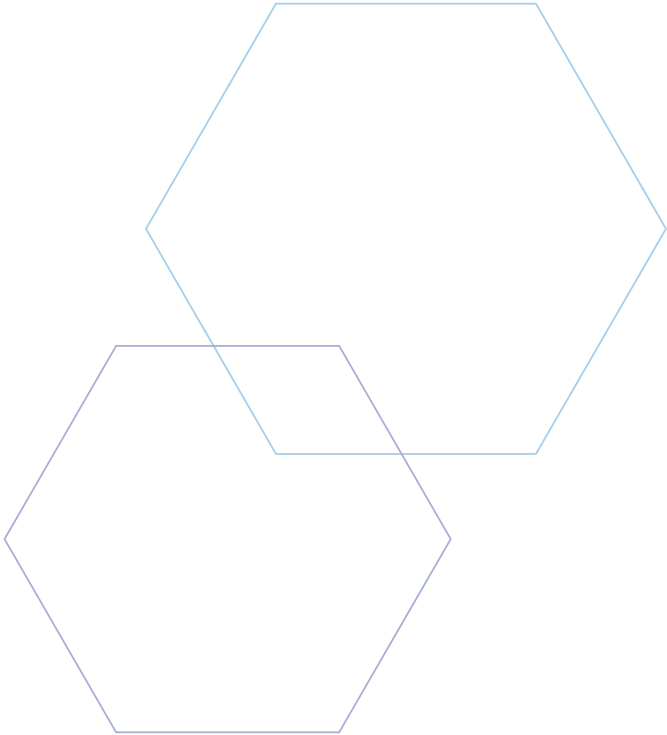
Now, therefore, be it Resolved by the people of [state]  
that it is the sense of [State] that Congress should  
immediately pass legislation to end the federal prohi-  
bition on medical cannabis and create a new federal  
agency for the regulation of medical cannabis.

Be it further resolved that as the Federal Government  
develops regulations for medical cannabis it should  
build on the existing framework created by various  
states with robust programs and work with states to  
develop federal product safety standards which shall  
act as the minimum allowing states to set more strin-  
gent standards.

For further insight on what a Federal regulatory frame-  
work might look like, please visit ASA's report: Ending  
the Federal Conflict: Changing The Paradigm on Med-  
ical Cannabis at [www.safeaccessnow.org/model\\_feder-  
al\\_legislation](http://www.safeaccessnow.org/model_federal_legislation).

**II. Additional Support Available**

If you are interested in passing the Equity for Medical  
Cannabis Patient Resolution please contact [info@safe-  
accessnow.org](mailto:info@safe-accessnow.org). ASA has prepared fact sheets, talking  
points and materials detailing the issues facing state  
programs and a deep dive into functional post-prohibi-  
tion governance of medical cannabis laws. ASA can also  
provide strategic support.



Advocating for safe, legal, and more affordable medical cannabis would  
be impossible without the help of our members and supporters.  
ASA would like to thank all of our members and the following  
businesses for supporting us this year.

**3C Comprehensive Cannabis Consulting**

**Bold Biologix, LLC**

**Compassionate Clinics of America**

**Dr. Bronner's**

**Takoma Wellness**

**The Cannabis Coaching Institute**

**Viridis Laboratories**

**Weedmaps**

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