Department of Health and Human Services
Maine People Living Safe, Healthy and Productive Lives
Paul R. LePage, Governor
Mary C. Mayhew, Commissioner

Department of Health and Human Services
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August 30, 2016

Senator Eric Brakey, Chair
Representative Andrew Gattine, Chair
Joint Standing Committee on Health and Human Services
#100 State House Station
Augusta, Maine 04333-0100

Dear Senator Brakey and Representative Gattine:

The Maine Medical Use of Marijuana statute (22 M.R.S.A. §558-C) directs the Department of Health and Human Services to submit an annual report to the Legislature. Enclosed please find the 2015 annual report. This report includes the following:

- The number of registered patients by County
- The number of caregiver cards by County
- The number of physicians by County
- The revenue and expenses of the Maine Medical Use of Marijuana Program

If you have any questions or would like further information, please contact Sheryl Peavey, Chief Operating Officer, Maine Center for Disease Control and Prevention at (207) 287-3270.

Sincerely,

Mary C. Mayhew
Commissioner

MCM/klv

Enclosure

Maine Medical Use of Marijuana Program

January 1, 2015 – December 31, 2015

Annual Report to the Maine State Legislature

Paul R. LePage, Governor *Mary C. Mayhew, Commissioner*

Maine Medical Use of Marijuana Report prepared by:
Maine Center for Disease Control
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The rules and Statute governing this program may be found at:
http://maine.gov/dhhs/dhrs/mmm/index.shtml

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Background

The Maine Medical Use of Marijuana Act was legislated in 2009 and the Maine Medical Use of Marijuana Program (MMMP) became operational in 2010. The MMMP is self-funded through dedicated fees to administer the operations of the program.

During 2015, the program's staffing included a half-time manager and two full-time support staff. Based on program growth, the 127th legislative first session approved increased staffing to include a full-time manager and two field staff, in addition to existing support staff. The MMMP continues to utilize the services of the Policy Analyst working on legal and policy issues.

The MMMP continues to provide regulatory oversight for patients certified to use marijuana as medicine, caregivers and dispensaries approved to provide medicine for patients, and medical providers issuing certifications. In 2015, on-line registration for medical providers was implemented.

MMMP data highlights for the calendar year 2015 include:

Caregiver cards – The number of caregivers cards issued increased from 4550 in 2014 to 6887 in 2015 (51.4%).

Individual caregivers –The number of caregivers registered with the State increased from 2161 in 2014 to 2921 in 2015 (35.2%).

Caregiver employees – The number of caregiver employees increased from 83 to 163 (96.4%).

Medical providers – The on-line registration database had 302 providers issuing medical marijuana certifications to patients.

Revocations – No registry identification cards were revoked in 2015.

Dispensaries – The eight dispensaries, one in eight of the nine public health districts as defined by the Maine Center for Disease Control, remain in operation.

Dispensary employees – The number of dispensary employees rose from a total of 121 in 2014 to 124 at the end of 2015 (2.5%).

The Maine Medical Use of Marijuana Act was legislated in 2009 and the MMMP became operational in 2010. The Rules governing the program became effective September 17, 2013.

- Debilitating medical conditions for which the medical use of marijuana is authorized;
- Procedures for issuing a certificate of registration to a medical marijuana dispensary;
- Procedures for issuing registry identification cards to qualified patients, primary care givers, staff of hospice providers and nursing facilities;
- Requirements for dispensaries to obtain registry identification cards for their principal officers, board members and employees;
- Confidentiality requirements;
- Payment of fees; and
- Enforcement.

In accordance with M.R.S.A. 22, Chapter 588 C §2425(10), The Maine Medical Use of Marijuana Act, the Department of Health and Human Services (DHHS), Division of Licensing and Regulatory Services (DLRS) is required to submit to the Legislature an annual report that does not disclose any identifying information about cardholders or physicians, but does contain, at a minimum:

- The number of applications and renewals filed for registry identification cards;
- The number of registered patients and primary caregivers approved in each county;
- The number of physicians providing written certifications for registered patients;
- The number of registered dispensaries;
- The number of principal officers, board members and employees of registered dispensaries; and
- Program revenues and expenses.

The purpose of this report is to fulfill that requirement and provide a summary of changes to the Maine Medical Use of Marijuana Program (MMMP) that have been made since the previous annual report was submitted, and to list goals for the program in the coming year.

Legislative Review

During 2015, the First Regular Session of the 127th Maine Legislature considered 17 bills related to the Maine Medical Use of Marijuana Act:10 bills failed to be enacted; 4 bills were vetoed by the Governor and the vetoes were sustained by the Legislature (failed to become law); 2 bills were "carried over" for consideration during the Second Regular Session (no action taken during 2015); and one bill was enacted.

LD 557, the bill that was enacted, allows a child to be given medical marijuana in a nonsmokeable form in a school bus and on the grounds of a preschool or primary or secondary school. The child must have a written certification issued by the child's medical provider for the medical use of marijuana. A designated primary caregiver administers the medical marijuana to the child.

See Public Law 2015, chapter 369:
http://www.mainelegislature.org/legis/bills/bills_127th/chapdocs/PUBLIC369.rtf

Data Management

The MMMP utilizes the Automated License Management System (ALMS) to process all applications, record revenue, and track complaints. Data from ALMS is utilized to measure and trend program activities for use in strategic planning and to collect data required by statute.

The Metro System is the gateway system used by the Department of Public Safety (DPS) to access several databases and obtain information. The MMMP and DPS worked collaboratively to provide law enforcement staff access to MMMP relevant and legally allowed information through the Metro System. This has eliminated the need for law enforcement to call MMMP staff each time they have a query. It also allows law enforcement access to information 24 hours a day.

Law enforcement training was produced in partnership with the Justice Practice Management Group. The training provides basic education regarding the MMMP to all State law enforcement personnel and is available 24 hours per day. A series of knowledge tests located at various points in the program must be passed for a participant to complete the training.

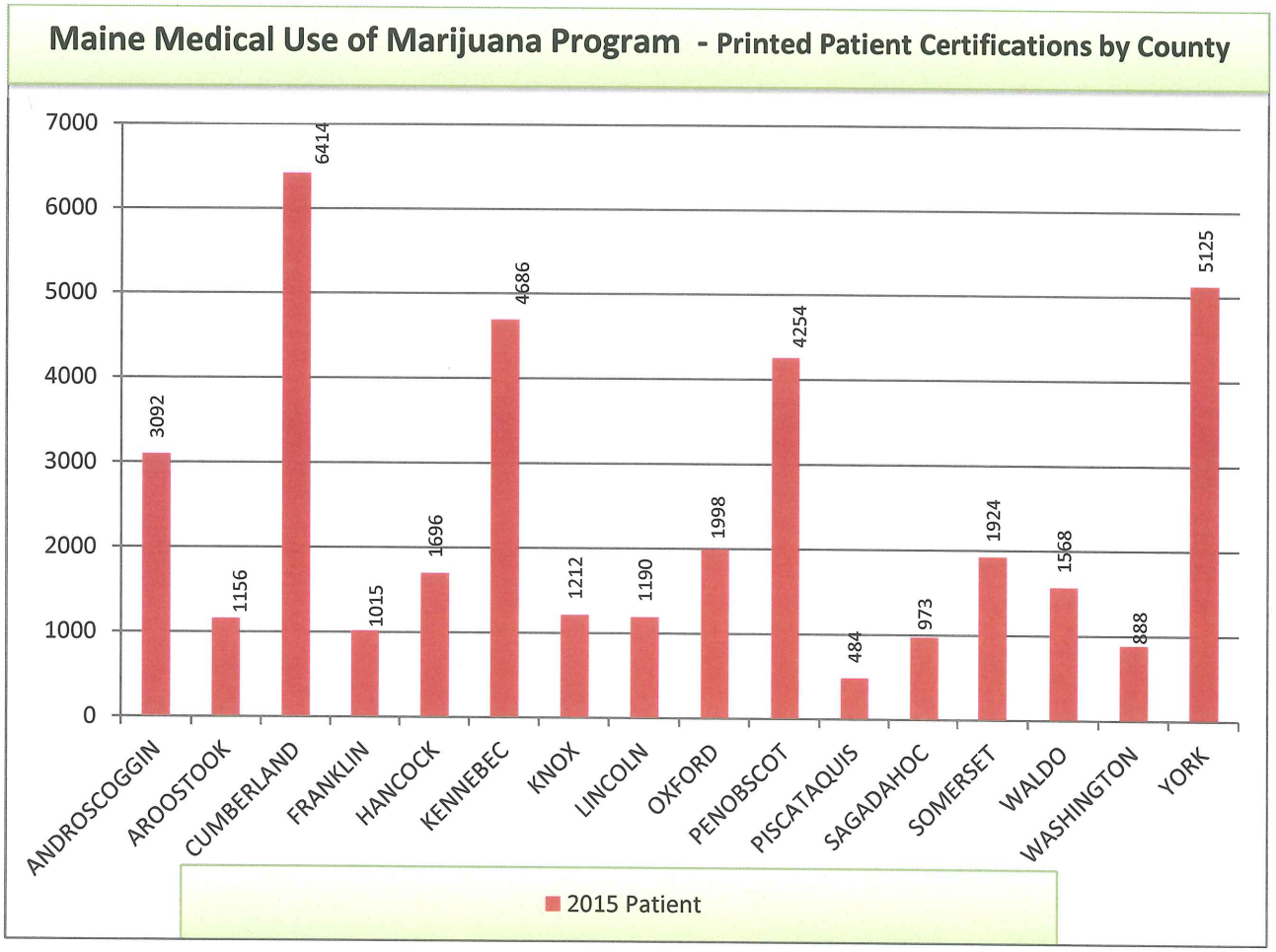
Petition Requests

One petition request was received in calendar year 2015. No public hearing was held as it was determined that the condition included in the petition is currently allowed by Statute.

Printed Patient Certifications by County

An on-line certification process was instituted in 2015, allowing patients to receive wallet-sized certificates directly from their medical providers. The on-line certification system recorded that 37,675 certifications were printed.*

Table 1. Printed Patient Certifications by County

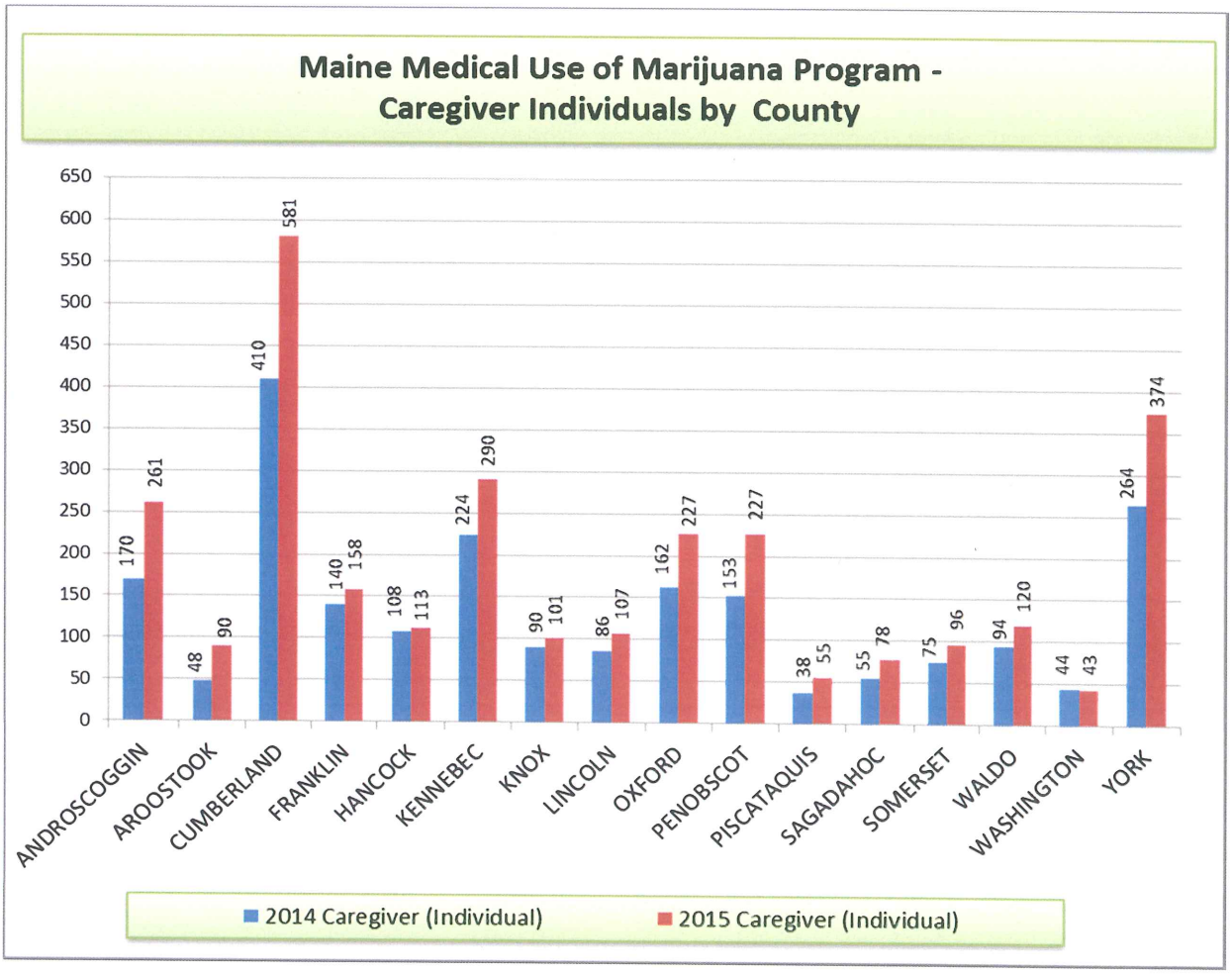


*This number is not an accurate reflection of the number of patients as it includes all certifications printed, including misprints, reissue of lost certifications and other anomalies.

Caregiver Individuals by County

Individual caregivers increased from 2,161 in 2014 to 2,921 in 2015 (35.2%). The largest growth in absolute numbers of individual caregivers occurred in Cumberland County with an increase from 410 in 2014 to 581 in 2015 (a net increase of 171), and in York County with an increase from 264 in 2014 to 374 in 2015 (a net increase of 110). The highest growth in percentage of individual caregivers was in Aroostook County, with an 87.5% increase, although the absolute number of caregivers grew by only 52 between the two years. Washington County was the only county in Maine to experience a decrease in individual caregivers from 44 – 43 (-2.3%).

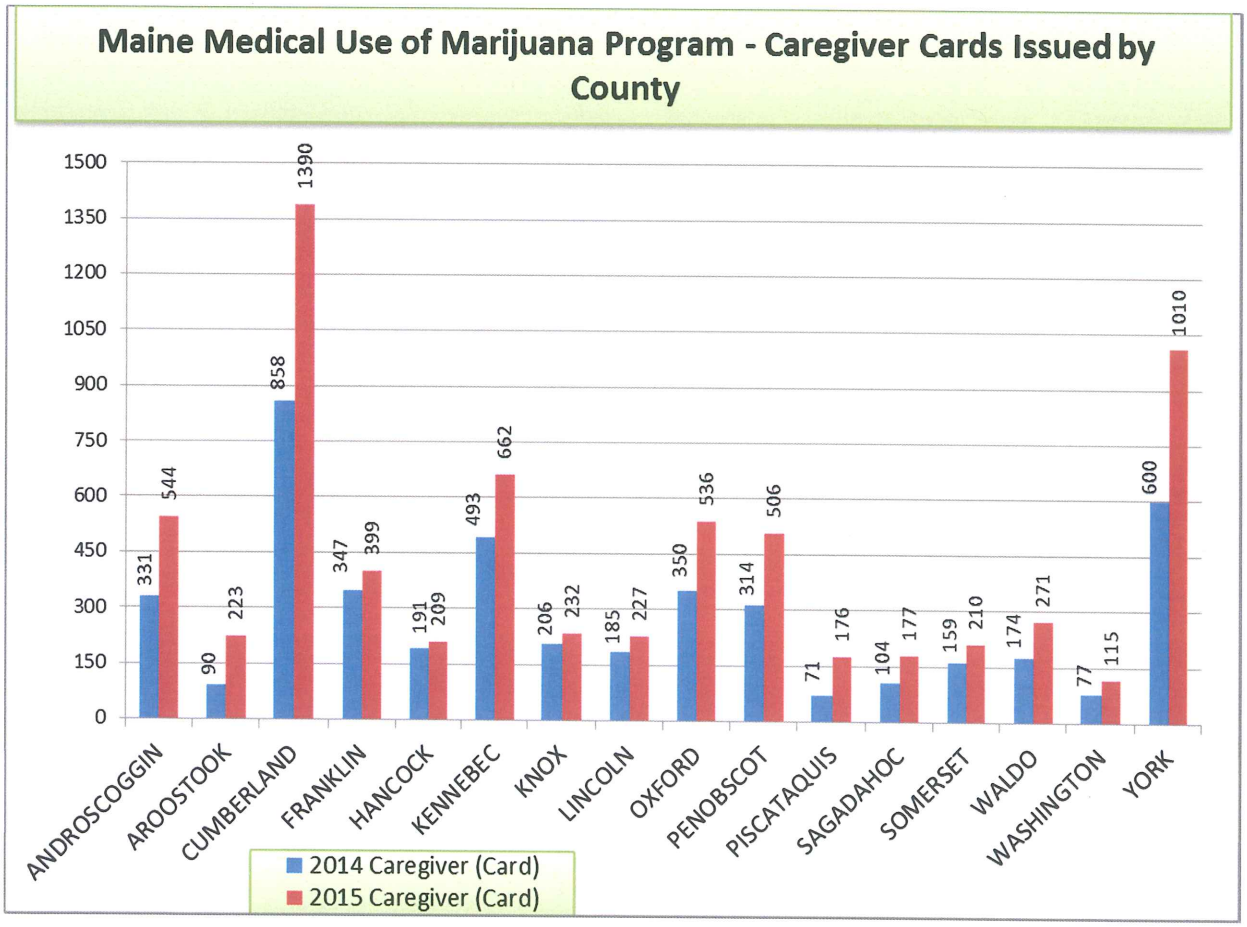
Table 2 – Caregiver Individuals by County, 2014 and 2015



Caregiver Cards by County

The number of Caregiver Cards increased from 4,550 in 2014 to 6,887 in 2015, a 51.4% growth rate. Significant growth in the absolute number of caregiver cards issued were experienced in Cumberland County, where Caregiver Cards increased from 858 in 2014 to 1390 in 2015 (a net increase of 532) and York County where Caregiver Cards increased from 600 in 2014 to 1,010 in 2015 (a net increase of 410). The growth in the percentage of Caregiver Cards was highest in Piscataquis County (147.9%) and Aroostook County (147.8%), although the absolute number of Caregiver Cards in these counties was relatively small, at 103 and 133 respectively.

Table 3 – Caregiver Cards Issued by County, 2014 and 2015

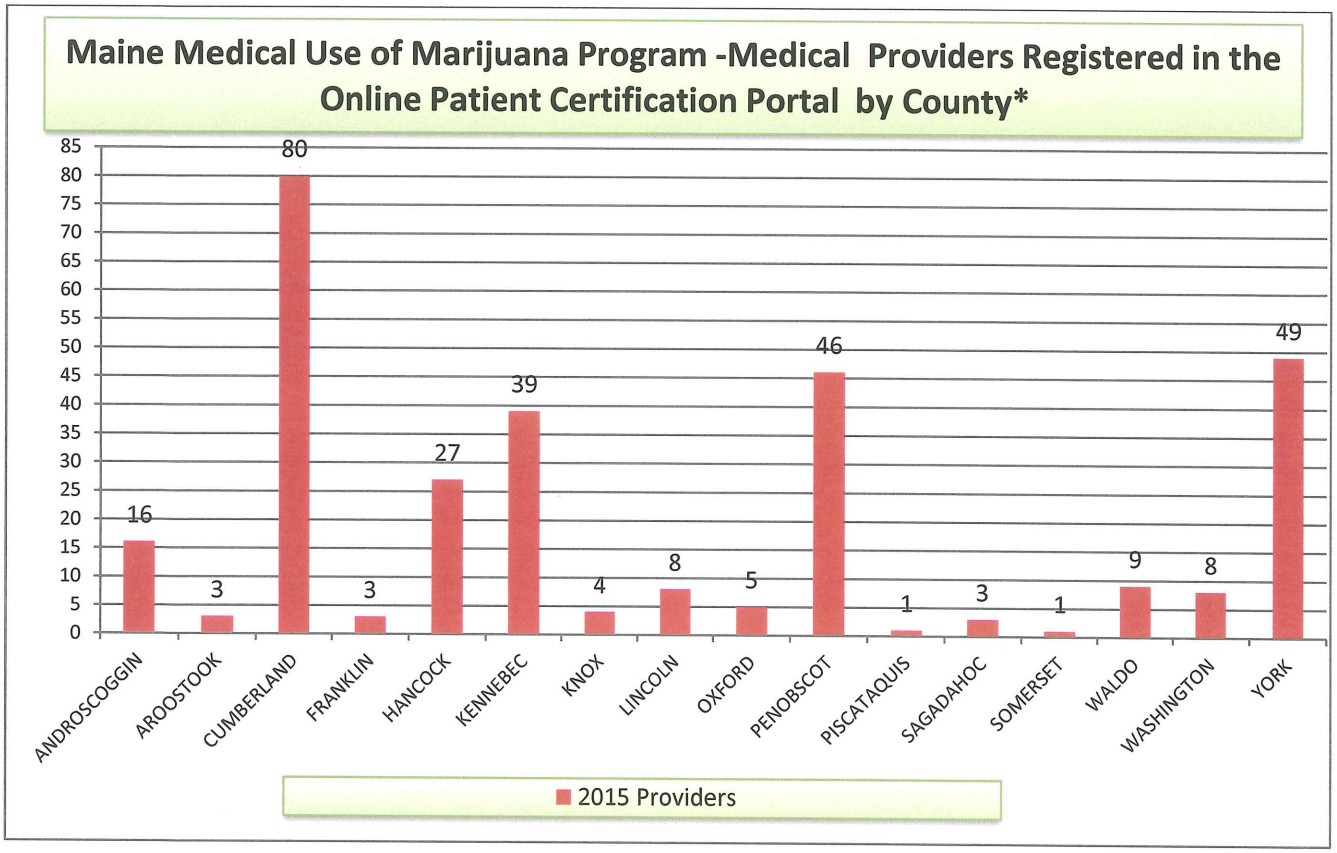


*This graph represents the individual patients served by caregivers

Individual Medical Providers by County

Data regarding the individual medical providers was obtained through the on-line patient certification portal in 2015.

Table 4 – Medical Providers by County, 2014 and 2015



*The information in this graph is based on the mailing address submitted by the individual medical provider.

2014/2015 Comparison

Maine Medical Use of Marijuana Program

County	2014 Caregivers (Individual)	2015 Caregivers (Individual)	Percent Change	2014 Caregivers (Card)	2015 Caregivers (Card)	Percent Change
ANDROSCOGGIN	170	261	53.5%	331	544	64.4%
AROOSTOOK	48	90	87.5%	90	223	147.8%
CUMBERLAND	410	581	41.7%	858	1390	62.0%
FRANKLIN	140	158	12.9%	347	399	15.0%
HANCOCK	108	113	4.6%	191	209	9.4%
KENNEBEC	224	290	29.5%	493	662	34.3%
KNOX	90	101	12.2%	206	232	12.6%
LINCOLN	86	107	24.4%	185	227	22.7%
OXFORD	162	227	40.1%	350	536	53.1%
PENOBSCOT	153	227	48.4%	314	506	61.1%
PISCATAQUIS	38	55	44.7%	71	176	147.9%
SAGADAHOC	55	78	41.8%	104	177	70.2%
SOMERSET	75	96	28.0%	159	210	32.1%
WALDO	94	120	27.7%	174	271	55.7%
WASHINGTON	44	43	-2.3%	77	115	49.4%
YORK	264	374	41.7%	600	1010	68.3%
Grand Total	**2,161**	**2,921**	**35.2%**	**4,550**	**6,887**	**51.4%**

	2014	2015
Total # Caregiver Employees	83	163
Total # Caregiver Cards revoked	0	0
Total # Registered Dispensaries	8	8
Number of Dispensary Employees	121	124
Number of Dispensary Board Members	21	22
Number of Dispensary Principal Officers	12	13

Revenue and Expenses

			12 Mos. Ending 6/30/2014	12 Mos. Ending 6/30/2015	6 mos. Ending 12/31/2015
	Revenues:				
	1498	REGISTRATION FEES	1,225,693	1,617,681	880,893
	1958	PROCESSING FEE	20,372		
Total Revenues:			**1,246,064**	**1,617,681**	**880,893**
	Expenses				
1	**PERSONAL SERVICES**		172,563	239,514	137,351
2	**ALL OTHER**				
	4030	SECURITY SERVICES			4,137
	4097	CLERICAL SUPPORT SERVICES	2,353	3,630	6,379
	4142	LEGAL SERVICES	13,225	18,813	2,901
	4199	MISC PROF FEES AND SPECS	5,252	45,500	67,500
	4270	AUTO MILEAGE-GEN IN STATE	136	1,945	1,518
	4271	OTHER TRANSPORTATION		1,216	271
	4273	HOTEL ROOM & LODGING	202	249	166
	4274	MEALS AND GRATUITIES	271	338	164
	4672	RENT OF STATE VEHICLE	590	89	37
	4881	ST SHARE LENSES VDT OPERATOR	150		
	4901	STAMPS	8		
	4903	FREIGHT	128		
	4905	POSTAL MACHINE CHARGES	29		7
	4911	POSTAGE	3,255	1,666	2,943
	4913	INTRAGOVERNMENTAL SERVICE	521	257	471
	4929	PRINTING AND BINDING		7,173	3,744
	4930	TRANSCRIPTS	713	690	
	4939	PRINTING BINDING ETC STAT	511	85	
	4946	ADVERTISING NOTICES	1,071	1,197	
	4974	TUITION EXP OTHER			491
	5001	REGISTRATION FEE-NON STATE			99
	5035	TRAINER FEES - NON STATE	7,500		7,500
	5301	OIT PROFESSIONAL CHARGES	8,993	4,736	1,952
	5302	TELEPHONE SERVICE	54	180	
	5310	IT END USER SERVICES	3,340	4,520	2,088
	5312	DP CONSULTING-NON STATE	2,798		
	5319	WEB SITE MAINTENANCE		55,198	34,319

Revenue and Expenses (continued)

			12 mos. Ending 6/30/2014	12 mos. Ending 6/30/2015	6 mos. Ending 12/31/2015
	Expenses:				
	ALL OTHER CONTINUED				
	5352	COMPUTER MAINT AGREEMENT	199		
	5355	SOFTWARE MAINT AGREEMENT	15,460	25,841	13,016
	5357	PRINTERS	574		
	5370	MINOR COMPUTER EQUIPMENT	350	982	205
	5380	SUBSCRIPTION - PC/LAPTOP/THIN CLIENT	75		
	5386	MOBILE DATA DEVICE/CONNECTION	14	171	
	5387	COMPUTER SOFTWARE	289		
	5600	OFFICE & OTHER SUPPLIES		60	
	5602	OFFICE SUPPLIES	7,670	3,770	1,268
	5627	PURCHASE OF BOOKS	478	32	
	5650	MISC OFFICE EQUIPMENT		3,445	1,413
	7202	COMPUTER SOFTWARE	49,849		
	8210	NSF CHARGES	80	40	
	8511	TRANS TO GEN FUND STACAP	8,797	19,045	8,500
DICAP Charges from the DHHS CAP	2978-0142	OMB	11,228	13,746	8,579
	2978-0196	OMB Regional	11,031	8,912	3,470
	2978-Z035	Contract Management	230	820	749
	2978-Z036	DLRS Admin	55,233	108,043	95,605
	2978-Z157	Audit			337
	2978-Z038	Hearings	209	426	191
Total Expenses			**385,429**	**572,329**	**407,371**
Net Income:			860,635	1,045,352	473,522

Non-Discrimination Notice

The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and the Maine Human Rights Act and Executive Order Regarding State of Maine Contracts for Services. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to DHHS' ADA Compliance/EEO Coordinators, 11 State House Station – 221 State Street, Augusta, Maine 04333, 207-287-4289 (V), 207-287-3488 (V), TTY users call Maine relay 711. Individuals who need auxiliary aids for effective communication in program and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinators. This notice is available in alternate formats, upon request.