**[Template] Medical Marijuana Policy [Self-Administration Permitted]**

**POLICY STATEMENT:**

[Hospital] recognizes that Missouri law authorizes marijuana use by qualifying patients for certain medical conditions, and that marijuana may provide therapeutic benefit to patients with those conditions. [Hospital] will allow patients with valid identification cards issued by the Department of Health and Senior Services to possess and use medical marijuana on [Hospital] premises when done so in compliance with Missouri law. Nothing in this policy should be construed to require a physician to certify a patient with a qualifying condition for the purpose of authorizing the use of medical marijuana.

**SCOPE:**

This policy is applicable to all patients of [Hospital]. Visitors are not permitted to use marijuana on [Hospital] premises. Visitors who hold an identification card designating them as a primary caregiver of a patient authorized under Missouri law to use medical marijuana may possess marijuana on [Hospital] premises.

**DEFINITIONS:**

1. **Administer** means the direct application of marijuana to a qualifying patient by way of any of the following methods:

  (a)  Ingestion of capsules, teas, oils, and other marijuana-infused-infused products;

  (b)  Application of ointments or balms;

  (c)  Transdermal patches and suppositories;

  (d)  Consuming marijuana-infused food products; or

  (e)  Any other method recommended by a qualifying patient's physician.

1. **Medical Marijuana** means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderali*s, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products, which are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.
2. **Primary caregiver** means an individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such pursuant to a valid identification card issued by the Department of Health and Senior Services.
3. **Qualifying medical condition** means the condition of, symptoms related to, or side-effects from the treatment of:

  (a)  Cancer;

  (b)  Epilepsy;

  (c)  Glaucoma;

  (d)  Intractable migraines unresponsive to other treatment;

  (e)  A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's syndrome;

  (f)  Debilitating psychiatric disorders, including, but not limited to, posttraumatic stress disorder, if diagnosed by a state licensed psychiatrist;

  (g)  Human immunodeficiency virus or acquired immune deficiency syndrome;

  (h)  A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;

  (i)  Any terminal illness; or

  (j)  In the professional judgment of a physician, any other chronic, debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.

1. **Qualifying patient** means a Missouri resident diagnosed with at least one qualifying medical condition who holds a valid identification card issued by the Department of Health and Senior Services authorizing the use and possession of medical marijuana. A qualifying patient may be under the age of 18, if the patient’s parent or legal guardian has consented to the patient’s use of medical marijuana.

**PROCEDURES:**

**Patient eligibility criteria for self-administration of medical marijuana**

A qualifying patient may use medical marijuana on [Hospital] premises if the following conditions are met:

* The qualifying patient or the patient’s primary caregiver supplies the medical marijuana.
* Neither the patient nor the patient’s primary caregiver possess marijuana or marijuana products in excess of lawful limits established by Missouri law.
* If the qualifying patient is under the age of 18, only the patient’s parent or guardian may possess medical marijuana on the patient’s behalf.  A parent or guardian must supervise the administration of medical marijuana to a qualifying patient under the age of 18.
* The patient has not been admitted for an adverse event related to marijuana use.
* The patient’s physician does not believe the use of medical marijuana is contraindicated for the patient’s condition or treatment regimen.
* The qualifying patient or the patient’s primary caregiver are able to administer the patient’s medical marijuana without assistance from staff.
* **A qualifying patient may use marijuana-infused products only and may not vaporize or smoke medical marijuana in any form.**

**Hospital process for allowing patient self-administration of medical marijuana**

1. Hospital staff will verify the qualifying patient and, if applicable, the patient’s primary caregiver hold valid identification cards from the Department of Health and Senior Services authorizing medical marijuana use by the patient and possession of medical marijuana by the patient and his or her primary caregiver.
2. Hospital staff will verify the patient’s medical marijuana is from a Missouri licensed manufacturer and dispensary. Any medical marijuana determined to be from another state is considered contraband and will be confiscated and disposed of in accordance with [Hospital’s] policies regarding illegal drugs brought to the facility.
3. [Hospital] will not permit a patient to self-administer medical marijuana for which the expiration date has lapsed.
4. Hospital staff will not supply or administer medical marijuana to a patient.
5. A patient deemed ineligible to self-administer medical marijuana under this policy will be asked to arrange for the immediate removal of the marijuana from [Hospital] premises. If the patient is unable to immediately remove the marijuana from [Hospital] premises, it will be secured by [Hospital] and returned with the patient’s other belongings.

**Documentation, Administration and Storage**

1. The patient’s physician will determine if medical marijuana is permissible during the patient’s stay and will authorize the patient or the patient’s primary caregiver to administer the marijuana. Optional: In so doing, the physician is not determining whether marijuana is a medically appropriate therapy, but will allow the patient to continue the dosage and frequency as determined by the patient and the patient’s certifying physician.
2. The patient’s physician will not change the dose or frequency of a patient’s medical marijuana, but may suspend or discontinue use during the patient’s stay where medically indicated.
3. Questions about a particular form of medical marijuana should be directed to the dispensary identified on the label.
4. Medical marijuana will be administered by the patient or the patient’s primary caregiver in compliance with the labeled instructions.
5. Medical marijuana will be secured at all times {Option A} in a location designated by [Hospital]. {Option B}, either in a secure location in the patient’s room, or on the person of the patient or the patient’s primary caregiver.
6. Only the patient or the patient’s primary caregiver may retrieve medical marijuana from a stored location. [Hospital] staff will not retrieve medical marijuana from storage or administer/observe administration of medical marijuana.
7. Documentation of medical cannabis administration will/will not be required in the medical record.

**Discharge:**

1. Upon discharge, all remaining medical marijuana will be removed by the patient or the patient’s primary caregiver.
2. The patient’s physician is not required to address the ongoing use of medical marijuana at the time of discharge but may refer the patient or the patient’s primary caregiver to the physician who provided the patient’s certification for using medical marijuana for questions concerning continued use following discharge.

**Additional provisions to be considered**:

The hospital may wish to add provisions to this policy to address:

* Whether existing policies on home and self-administered medications should be amended to exclude medical marijuana
* Whether any provisions from existing policies on home and self-administered medications should be included in this policy
* Documenting the patient’s possession and use of marijuana in the medical record
* Whether medical marijuana will be included in hospital-based medication reconciliation policies and procedures
* Prohibition on storage of medical marijuana in the hospital pharmacy to ensure compliance with federal law
* Waiver by the patient and/or primary caregiver accepting full responsibility for storage and administration of the medical marijuana while hospitalized
* Waiver by the patient for any adverse effects of medical marijuana

**Note:**

MHA strongly advises consultation with legal counsel prior to adopting any policy allowing the use of marijuana on hospital premises. Hospitals in other states have successfully implemented similar policies and, to date, MHA is unaware of any adverse regulatory consequences as long as the facility was in compliance with the state’s medical marijuana law. However, there are numerous legal considerations in allowing patients to use marijuana onsite, which must be factored into a hospital’s decision on adopting policies regarding medical marijuana.