



Legislation Text

File #: 07-119, **Version:** 2

PRESENTATION by the Public Health Department updating the Board on the State of California Medical Marijuana Identification Card Program.

BUDGET SUMMARY:

Total Estimated Cost	N/A	Funding	Budgeted\$	New Funding\$	Savings\$	Other\$
Total Funding Available	\$Change To Net County Cost	N/A				

Fiscal Impact/Change to Net County Cost: None.

Background: In 1996, California voters approved Proposition 215 (also known as the Compassionate Use Act), allowing physicians to recommend the medicinal use of marijuana by a patient, including the cultivation and transportation of marijuana for medical purposes by patients and caregivers. The Act exempts patients, caregivers, and physicians who recommend the use of marijuana for medical purposes from criminal laws, punishment, or the denial of any rights or privileges.

Senate Bill (SB) 240 was passed in 2003, directing the California Department of Health Services (CDHS) to develop and administer a program through which counties could issue special identification cards and access an online database to track and police the use of medicinal marijuana within their jurisdictions. That project became known as the Medical Marijuana Identification Card Program (MMICP). Currently, there are over 20 counties in California that participate in the Program.

The County's responsibilities under this program will be as follows:

Identify the governmental or nongovernmental organization that is designated to carry out Program responsibilities as directed by the county; establish county fee portion of application charges; utilize MMICP protocols developed by the CDHS; provide, receive, and process applications for MMICP; take an electronically transmissible photo of the applicant (patient and/or primary caregiver) that meets criteria prescribed in the state protocols; collect application fees from applicants and transmit the State fee of \$142/applicant to the CDHS; utilize the Web-based system to transmit a limited amount of application information (e.g., designation of patient or primary caregiver, his or her photo, county or its designee and phone number, card expiration date, etc.) to CDHS card production and data repository system; receive state produced ID cards and issue them to the cardholders; and maintain various county records of the MMP. The program has been discussed with the EDC Sheriff, County Counsel, Placerville Police, South Lake Tahoe Police and the EDC District Attorney and Public Defender.

Reason for Recommendation: SB 420 imposes various duties upon county health departments relating to the issuance of identification cards, thus creating a state-mandated local program.

Action to be taken by Board following presentation: provide direction to staff relative to implementation of MMICP; if to implement MMICP, then provide direction on selection of local

administrator, either internal or through RFP; provide any other information or action as desired.

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Concurrences: