

# BANGOR DAILY NEWS

## New report calls Maine's medical marijuana program the nation's best



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A marijuana plant is seen at Tweed Marijuana Inc in Smith's Falls, Ontario, March 19, 2014.

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PORTLAND, Maine — A new report released by the industry trade group Americans For Safe Access gave Maine's medical marijuana program the highest score out of 35 states with some kind of medical cannabis law.

The study rated states based on categories including patient rights and protection against discrimination, access to medicine and functionality.

“Maine is pleased to be viewed as a national leader in terms of the regulation and oversight of its medical marijuana program,” said John Martins of the Maine Department of Health and Human Services, which oversees the program. “We continue to look at ways to strengthen the integrity of the program and are working to ensure that those who are certified for medical marijuana have

access to a product that complies with established safety standards.”

Maine received a score of 339 — and a letter grade of B — out of 400 total points. The Pine Tree State was followed by Rhode Island with 324 points, Washington at 322 and California at 320. The lowest scoring state among those with some kind of medical marijuana program was Tennessee, with 40 out of 400 points.

“Most of [the states’ programs] are inadequate,” Chris Hermes, spokesman for Americans For Safe Access, told the Bangor Daily News. “That was the first important part of this report: To highlight how many states are not actually providing adequate services and protections for patients.”

Maine, however, which legalized medical use of marijuana in 1999 and a decade later legalized retail dispensaries for the drug, got 95 out of a total of 100 points in the “functionality” category, which rated states on whether there are administrative or supply problems, and whether limits on possession amounts and locations where the pot can be used are “reasonable,” among other things.

“Maine kind of hit the sweet spot between over- and under-regulated systems,” said Becky DeKeuster, executive clinical director of Wellness Connection of Maine, the state’s largest medical marijuana dispensary group. “Regulations can be onerous and burdensome, but they benefit the patient and create a level playing field between dispensaries.”

Wellness Connection is Maine’s largest medical marijuana distributor, operating four of the state’s eight total dispensaries — in Thomaston, Brewer, Portland and Hallowell — and has about 3,000 of the state’s 4,500-plus dispensary patients.

The Americans For Safe Access report did identify room for improvement in Maine, urging the state to allow physicians to prescribe cannabis outside a predetermined list of acceptable ailments and allow multi-year registrations for patients, among other steps.

DeKeuster echoed those sentiments on Tuesday, saying she believes doctors should be allowed to prescribe marijuana for depression and [Tourette syndrome](#), for example, which are not on the state’s list of ailments for which cannabis can be used as a treatment.

The Americans For Safe Access study also included an additional scorecard that did not count toward each state’s 400-point total, ranking states based on consumer safety and provider requirements.

Although the state’s scores in the 25-point category did not hurt its overall standing, Maine performed poorly, getting zero points for labor standards, product safety protocols and environmental impact regulations.

“Certainly in all aspects of the industry, from seed to sale, Maine could use improvement in terms of ensuring the industry has the highest standards and is adequately trained,” Hermes said.

Wellness Connection found itself embroiled in controversies on those fronts over the past 18 months, with the United Food and Commercial Workers International Union filing a complaint with the National Labor Relations Board that the company retaliated against workers hoping to

unionize, allegations the company denied.

Wellness Connection since has negotiated a favorable settlement with the board over the complaint.

The company also was investigated last year by the Maine Department of Health and Human Services for use of what were at the time illegal pesticides, but Wellness Connection leaders argued that although state law technically did not allow use of any topical pesticides, the organic sprays — like sesame and canola oils — were not dangerous or toxic.

Since the investigation, DHHS has confirmed that Wellness Connection has come into full compliance with its rules, and the Legislature passed a bill allowing “minimum risk” pesticides such as the ones for which the company previously was scolded.

DeKeuster said on Tuesday the state could make progress in terms of product safety by clarifying what it considers acceptable treatments for the plants and by establishing a product-testing program that takes samples from independent caregivers in addition to the state’s dispensaries.

“We really do need a lab licensing program as a piece of our regulatory framework,” she said. “That would benefit patients in the end. They would be assured of contaminant-free medicine. That’s something we should definitely work on, getting some independent third-party lab testing up and running.”

Hermes said his organization didn’t place as high a numerical value on the product safety scores, or include those scores in the overall state rankings, in part because “marijuana is already a relatively safe substance without such scrutiny.”

“It’s not as though we don’t care about product safety, but in terms of evaluating medical marijuana laws, we felt the hindrance of access we’re seeing today in many places is far more detrimental to the patients’ ability to legally and safely use medical marijuana,” he said.

“Lately, states have been rushing to pass the most restrictive programs — Illinois, [New York] and, I think, even New Jersey said that — instead of passing programs thinking about what’s in the best interests of the patients, which is purportedly the group they’re trying to help,” he continued.

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