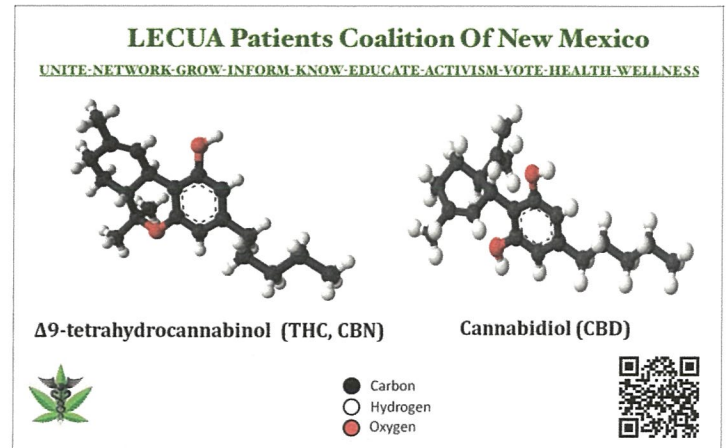


LECUA Patient's Coalition Of New Mexico
Jason Barker - Organizer & Medical Cannabis Patient
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dukecitywellness.com

505-449-7460

Thursday, June 4th 2016

State of New Mexico
Legislative Members
490 Old Santa Fe Trail
Santa Fe, NM 87501



The New Mexico Department of Health's Medical Cannabis Program's compliance with the legally-required 30-day waiting period for processing applications of new and returning medical cannabis patients but the department was taking between 60 and 90 days to complete this process. As of July 29th 2016, Andrea Sundberg said medical cannabis cards are now being processed in 45-50 days. It is very clear this continued "failure to comply" with the time period from the department should clearly result in special audits, risk advisory designations and even potential referral to law enforcement, just as State Auditor Keller warned.

They need to provide relief and allow Safe Access for these medical patients and it is very feasible for the Department of Health Medical Cannabis Program to please immediately issue a retroactive 90 day extension to all expiration dates & expired medical cannabis patients ID Cards into the remainder of the 2016 until there are no more administrative delays.

Patients, like myself, are also required to renew their cards every year despite all of us patients having serious medical conditions that will never go away. Nor do we need a yearly reminder of our health problems...once a patient is accepted into the program the registry and identification cards should be set at a 3 or 5 yr renewal basis. The Department can then do yearly address verification by mail all while maintaining safe access to medical cannabis. The qualifying health conditions for the program are all ones that modern pharmaceutical pills failed to cure or provide relief. That is why we are in the medical cannabis program as this form of medicine provides us the best option for improving our health.

Parkinson's disease, Post-Traumatic Stress Disorder and the many other qualifying conditions have had their Safe Access to medical cannabis completely disrupted and left without medicine for alleviating symptoms caused by debilitating medical conditions and their medical treatments.

The faces of these medical cannabis patients are mothers, aunts, grandparents, armed forces veterans, former first responders, and survivors - no different than those in our community you'd see in a Walgreens. In pursuit of its mission, the New Mexico Medical Cannabis Program issued an extensive RFP on July 22, 2014 for a software solution to maintain regulatory compliance. After extensive proposal evaluations and live software demonstrations, BioTrackTHC achieved a cannabis industry first: back-to-back government contract wins. Now with well over a year for the New Mexico Medical Cannabis Program officials to prepare for this new software solution, it is the people in our medical cannabis community that are left suffering from the current delays.

NM Dept. of Health

2 messages

Jason Barker <dukecitywellness@gmail.com>

Tue, Apr 12, 2016 at 7:18 AM

To: pstewart@nmag.gov

Good Morning Mr. Stewart,

Could you please sir, help me with this and the huge liability situation the NM Dept. of Health has created in the Medical Cannabis Office with the deals in processing medical cannabis card applications, renewals and PPL's. These long delays are forcing people like me and many many other people with serious health conditions to go long periods without our life saving medicine. I do not understand why we are being treated this way and why people are being deprived of their medicine which is directly affecting peoples health and I see it everyday with mine and many others where I volunteer at. Here's is my attempt at seeking help from the DoH which has not happened...

Jason M. Barker

Medical Cannabis Patient

ID Code: 0190414 (exp 3/23/16)

8708 Palomar Ave NE Albuquerque, NM 87109

PH: 505-449-7460

dukecitywellness@gmail.com

Medical Cannabis Program

New Mexico Dept. of Health

1190 St. Francis Dr, S3400

Santa Fe, NM 87505

Good Morning Ms. Soliz,

My name is Jason Barker, I am a patient in the Medical Cannabis Program and one who is waiting for their card renewal to completed. My qualifying condition is PTSD, in actuality its Complex Post Traumatic Stress Disorder; I also live with Asperger's Syndrome, Poland's Syndrome; in addition to having a melanoma spot to be removed from my scalp on my head in 9 days. My renewal application for my card renewal and ppl paperwork was turned by me in person on Feb. 22nd 2016 at 9am to the MCP Office, my Card expired March 23rd; as of yesterday when I called the MCP office, mine is on day 45. Making it now 13 days to not have access to medicine, I'm one of these patients stuck in " medical cannabis purgatory" and not only does this raise great concern of my own situation in dealing with this matter but all the other patients too. What gave me my PTSD (leading to the CPTSD) was being molested as little boy growing by two neighbors, later in life I worked as an EMT doing Beach Patrol work in Hilton Head Island, SC) (I assure what people can do to themselves is extremely sad). I have also been mugged and sexually assaulted again in later in my life. Before I was a patient in the program, Doctor's were just happy to keep pushing an array of pills on me, and use of some have left me predisposed for early onset dementia. The first Doctor I saw through Presbyterian, was Dr. Charlie Jimmy who I had removed by the State Medical Board for over-medicating his patients with Xanax and Valium.

TITLE 7 HEALTH
CHAPTER 34 MEDICAL USE OF CANNABIS
PART 3 REGISTRY IDENTIFICATION CARDS
7.34.3.11 REGISTRY IDENTIFICATION CARDS:

E. Registry identification card renewal application: Each registry identification card issued by the department is valid for one year from the date of issuance. A qualified patient or primary caregiver shall apply for a registry identification card renewal no less than 30 calendar days prior to the expiration date of the existing registry identification card in order to prevent interruption of possession of a valid (unexpired) registry identification card. Certifications from certifying providers must be obtained within 90 calendar days prior to the expiration of the patient's registry identification card.

I have done all that is stated above for that process.

I also realize the Medical Cannabis Office is now using BioTrack, I had a nice conversation with Mr. Sparks from Biotrack yesterday, and that can affect things. I have also seen the medical cannabis office has had hiring ads up for expanding their staff and its also clear that they need to expand the size of their office to enable them to have room for new staff and

New Mexico Medical Cannabis Program: Cannabis Concentrate Facts

What Is In Question: (nmhealth.org/resource/view/222)

TITLE 7 HEALTH-CH 34 MEDICAL USE OF CANNABIS-PART 4 LICENSING REQUIREMENTS FOR PRODUCERS, COURIERS, MANUFACTURERS AND LABORATORIES

7.34.4.8 PRODUCER LICENSING; GENERAL PROVISIONS:

L. Maximum concentration of THC in concentrates: A licensed non-profit producer shall not sell or otherwise distribute a concentrated cannabis derived product to a qualified patient or primary caregiver that contains greater than seventy percent (70%) THC by weight, unless the qualified patient or primary caregiver presents proof of a valid medical exemption granted by the department. (new Department of Health Medical Cannabis regulation that went into effect on February 27, 2014)

What This Means To All Patients:

70% THC limit: The new rules impose a cap of 70% on the THC content of any extract or concentrate.

High-quality/purity BHO, waxes and similar products that have potencies above 70% THC can no longer be sold to patients by producers. It also means that a patient who possesses a higher-potency concentrate obtained from another source risks state law criminal prosecution. Patients who use concentrates may consider applying for a medical exception and/or look for reformulated products at their producer that comply with the new rule.(from Kurple Magazine 3/15 - comments by Jason Marks -Esquire)

Why This Regulation Is A Violation of ALL Patients RIGHTS:

This proposed regulation is blatantly contradictory to the Act. Concentrates are condensed cannabis medicine with very little plant matter, making them a safe and healthy alternative method of consuming medicine.

Cannabis concentrates can have anywhere from 60-90% THC content. Concentrates can be vaporized, baked into edibles, infused into topicals or smoked. Since concentrates are significantly more potent, they are much more effective for use as medicine for patients with serious issues. Many users wish to minimize smoking medical cannabis. The use of BHO, Rick Simpson oil and similar products can allow users to minimize smoking. Higher quality products also contain fewer contaminants (contaminants here is defined as anything that has not been shown to cure or alleviate patients' conditions). That the department would seek to ensure quality by testing, then reduce quality by requiring inferior products to be produced/ possessed seems contradictory.

Cannabis concentrates, when used properly, are making revolutionary contributions to the field of cannabis-based medicine. Limiting the amount of THC to the absolute lowest level typically in concentrates will be almost impossible for producers to comply with and restricts the medicinal value. This rule is arbitrary, capricious and completely unreasonable. (from Jason Marks comments of the Cannabis Producers of New Mexico, Inc to NM DOH)

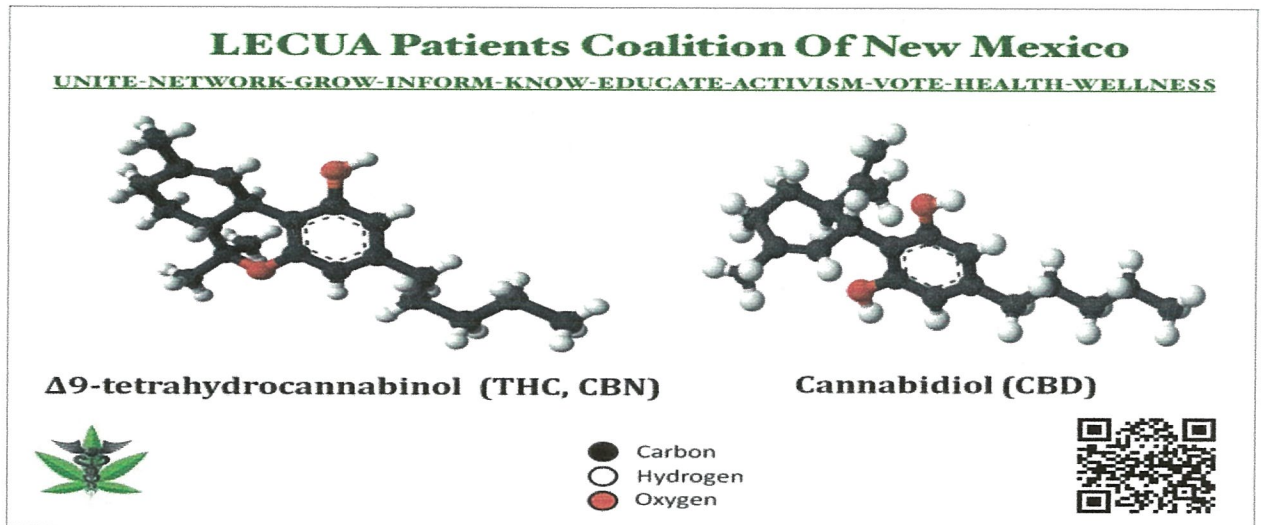
Medical Cannabis Facts in The United States:

- 37 Medical Cannabis State Programs
- 15 States in the Mountain / Pacific Time Zones: 10 States with Medical Cannabis Programs & 7 States have pending Medical Cannabis Program legislation
- *New Mexico & Utah* are the ONLY two states who impose the 70% Concentrate Cap in the Medical Programs and Ohio is currently adding our cap

"Best RSO is 95-98% THC and extremely potent and sedative (with 70% cure rate)." -Rick Simpson

"IF, what we want is for the cannabis industry to maintain BEST PRACTICES, then the careful cleaning up of concentrates, removing the majority of impurities, is the closest thing we have to proper pharmaceutical technique. IF the state forces you to less appropriate techniques, that produce a less cleaned-up product, then the state is taking on the legal liability of forcing the industry into bad techniques. This means that if the industry is pushed by the state, then when patients get sick for these poorer quality medicines, the state becomes a co-defendant in these cases... more over, the cannabis company getting sued can also sue the state." - Dr. Kymron (Steep Hill Labs)

LECUA Patients Coalition of New Mexico



Facebook Group Forum & Community Page: LECUA Patients Coalition of New Mexico

- l. **The Group Defined:** to provide the latest scientific and medical based research for medical cannabis for the: patients, prospective patients, community education & information, physicians / medical professionals, local & state organizations. The Corporation is organized exclusively for charitable, educational, and political purposes within the meaning of Section 501(c)(3) of the IRS Code, 1986, or the corresponding provision of any future federal law.

A. **For Whom:**

1. Prospective Patients/Caregivers to the Medical Cannabis Program, Current Patients/Caregivers in the MCP
2. Cannabis Guild Members, Dispensary Management/ Employee's
3. Medical Cannabis Ancillary Business, & Medical Professionals.
4. * General Membership inclusive, is ALWAYS offered for FREE, with additional professional, business and corporate membership levels available for charitable donations.

B. **Doing What:**

1. Promoting the LECUA Compassionate Medical Cannabis Program in the State of New Mexico through educational initiatives and through Local, State & Regional Lobbying.
2. Provide a open online & public forum and website for Patients, Prospective Patients, Producers, Ancillary Business, and Medical Professionals.

3. **Provide information on obtaining and maintaining a New Mexico Medical Cannabis Program ID card for Patients, Caregivers, and a Personal Productions License.**
4. **Provide Medical Cannabis Cultivation Information & Education.**
5. **Provide Information & Education on approved medical providers.**
6. **Provide Information & Education on State and Federal regulations on medical cannabis use, cultivation, and possession.**
7. **Promote the safe use and access to medical cannabis in the State of New Mexico.**
8. **Promote the decriminalization of cannabis in the State of New Mexico by providing education and information through scientific research and medical research to Local and State Legislators with an active hand in writing legislation.**
9. **Working together to find common ground with the State Department of Health's Medical Cannabis Advisory Board to ensure the scope of the Lynn & Erin Compassionate Use Act, 2007, is in the best interest and application for the patients.**
10. **New Mexico has been providing Medical Cannabis to patients in the State since 1978; It's time for New Mexico to return as the leader of medical cannabis in the Southwest, amongst the Top 3 Programs Nationally, and then Top 10 World Wide.**

C. How: Establishing A Scientific and Medical- Patient Health Focused Foundation

1. **Election of Board of Directors Officers: President, Vice-President, Secretary, Treasurer, (Immediate Past President - after 1 yr), At-Large (Patient Rep), At-Large(Caregiver Rep), & At-Large(Producer Rep). *Even Number of Seats thus tie votes go to membership floor to break tie.***
2. **Creation of Board of Directors Advisory Committee: 3 At-Large Members and eventually 2 Immediate BoD Officers (after 1 yr).**
3. **Committees: (2-5 members per) Fundraising, Budget & Finance, Membership, Public Relations, Marketing & Communications, Awareness & Patient Outreach, Veteran's Committee, and Medical & Scientific Research. (BoD VP sits on PR Com., BoD Sec sits on Membership Com., and BoD Treas. sits on Budget Com.)**
4. **Online Group Forum**
5. **Attending and providing public comments at Local and State medical cannabis and cannabis events, meeting and hearings.**

- D. **Where:** Group meetings to be held throughout the State of New Mexico, with a central satellite office in Albuquerque and branch offices to be created.
- II. **Legal Structure:** The Corporation is organized exclusively for charitable, scientific, educational, and political purposes within the meaning of Section 501(c)(3) of the IRS Code, 1986, or the corresponding provision of any future federal law. (Established Wednesday, April 20th 2016)
- III. **Statement of Nondiscrimination:** Notwithstanding any provision of the above goals, future bylaws and code, the Corporation and its members shall not discriminate against any director, officer, employee, applicant, member, patient, or any participant on the basis of sex, race, color, ethnicity, marital status, disability, national origin, sexual orientation, or gender identification.
- IV. **LECUA Patients Coalition Of New Mexico Goals :**
- A. Work with National Groups like Americans for Safe Access, DPA in Santa Fe, and bring United Patients Group to Albuquerque to offer online Medical Cannabis Institute CME education courses and one-on-one consulting to physicians and medical institutions. CME courses include: Medical Cannabis and its applications in Fundamentals, pharmacology, Neurological Disorders, Oncology, Pain Management, Palliative Care, Psychiatry, Safety and more. Education is paramount in the potential for Medical Cannabis treatment.
 - B. Increasing the types of qualifying health conditions in the State's Medical Cannabis Program to ensure safe access for one's own health and well being.
 - C. Removal of: 7.34.4.8 L Maximum Concentration of THC in Concentrates
 - D. Removal of the 2015 change to PPL Application to be compliant with HIPPA and the intent of the LECUA
 - E. Advise, Inform and Educate the Medical Cannabis Advisory Board.
 - F. Proper decriminalization of cannabis in the State of New Mexico by providing education and information through scientific research and medical research to Local and State Legislators with an active hand in writing legislation.
 - G. Work in Partnership with additional Groups like; SSDP, NORML, Cannabis Consumers Coalition, & Women Grow
 - H. And more to come (inclusive process - share your thoughts and goals).

www.dukecitywellness.com

UNITE-NETWORK-GROW-INFORM-KNOW-EDUCATE-ACTIVISM-VOTE-HEALTH-WELLNESS

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