New Jersey's Medicinal Marijuana Program Assures Patient Access, Physician Involvement and Community Safety

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Recently, the Department of Health and Senior Services released proposed regulations for the Medicinal Marijuana Program after completing a comprehensive study of programs in other states and engaging in discussions with patients, advocates and medical professionals. The result is a thoughtful, clinically-based health care program that makes it possible for patients grappling with debilitating medical conditions to have access to medicinal marijuana.

This program, which was endorsed by The Medical Society, the New Jersey Hospital Association and the Council of Teaching Hospitals, recognizes that for some patients conventional treatment has failed and there may be benefits from medicinal marijuana. At the same time, the program addresses the importance of physician involvement and ensures appropriate safety protocols are in place to prevent abuse. To avoid the unintended consequences of lax oversight that has occurred in other states such as Colorado and California, New Jersey has implemented commonsense rules, based on clinical standards designed to protect the general public’s safety as well as the safety of participating patients and their caregivers. The result is a model which makes New Jersey's program the most comprehensive and well thought out program in the nation, which is precisely what the Legislature intended when it passed the New Jersey Compassionate Use Medicinal Marijuana Act in 2009.

While putting in place commonsense safety measurers is important, the first priority of this program is to make sure patients who are suffering from serious illnesses do not face hardship or difficulty in securing medicinal marijuana. Physicians will be able to register electronically with the Department of Health and Senior Services to have their credentials verified and then will be able to submit a patient’s name to the program. Subsequently, the program requires qualified patients to have an ongoing relationship with a physician to ensure enrollees are safely and responsibly relieving their symptoms and to prevent those who are not facing debilitating diseases from abusing the system.

Critics have unfairly criticized the need for a patient to have been under the care of his or her personal physician for at least a year before entering the program as hindering patient access. That criticism is unfounded. Under the Department’s proposed rules, a one year relationship is not the only way for determining a bona fide physician patient relationship exists. If a patient does not have a one year relationship with a physician or his or her physician is unwilling to participate in the program, another doctor can assume responsibility for providing management and care after a physical is completed and a comprehensive medical history is reviewed. It’s a reasonable step that doesn’t get in the way of patients’ access to medicinal marijuana, but also ensures they receive ongoing and critical medical care.
The program further guarantees access to medicinal marijuana for enrollees through a dispensary location in each region of the state. There will be two nonprofit cultivators and four nonprofit dispensaries known as Alternative Treatment Centers (ATCs). ATCs, which will cultivate or dispense marijuana, can also apply for additional satellite locations in their region. In addition, New Jersey’s program, unlike any other, recognizes the significant challenges that patients with debilitating conditions face by allowing dispensaries to provide home delivery.

In order to meet patient needs and to address community concerns, dispensaries will have medical advisory boards comprised of health professionals and community members to assist in planning, implementation and operations. In addition, all dispensary and cultivation center owners, operators, staff and board members are required to undergo criminal background checks to prevent abuse.

This is pioneering territory for the state of New Jersey and implementing the Medicinal Marijuana Program in a safe and responsible way is essential. As a physician, my first and foremost concern is for patients. As the Commissioner of the Department of Health and Senior Services, my first and foremost concern is the wellbeing of all New Jerseyans.

New Jersey’s Medicinal Marijuana Program strikes the right balance for both patients in need and the public.