

# Draft1 - Tasmanian Medical Cannabis Exemption Proposal 2011



(Please note that this exemption does not encourage, authorise or require Doctors to recommend, prescribe or supply Cannabis in any way at all and the plant's standing remains the same under existing law. The exemption simply 'exempts' any person from prosecution under current laws for growing and using their own Herbal Medical Cannabis for a legitimate medical condition and allows Doctors to interact with patients in a more honest manner regarding Medical Cannabis use and information about that use.)

## **Proposal**

- That Patients with a confirmed medical Condition that they have chosen themselves to medicate with Medical Cannabis are to be exempt from prosecution under existing laws for the growing, preparation and consumption of Herbal Cannabis.
- That the Patients condition and usage are confirmed by their GP or specialist and registered with Tas Health who places the registration with the Police.
- The patients receives written confirmation or even a 'Green Card' denoting their use to be shown to police if need arises.
- That the patients has discussed the issue with their doctors including other medications used or less used and the doctor has advised the patient on possible side effects, dosage issues, method of delivery issues and general health care whilst using Medical Cannabis.
- The patient is allowed to grow medical Cannabis in their own private property or rented property with permission of the landowner.

## **Purpose**

The purpose of this proposal is to allow legitimate patients to grow their own herbal Cannabis for their own consumption and be free of prosecution for doing so. Many Tasmanians suffering from a wide variety of ailments currently use Medical Cannabis via smoking, vaporising or ingesting it in herbal form..

It is also the proposals purpose to loosen the restrictions on Doctors in terms of how they deal with Medical Cannabis patients and allow full and frank exchange of information, education and ongoing support aimed at maintaining the patients health.

The prohibitive nature of Cannabis has led to much misinformation and secrecy.

Patients registering with the scheme do so under an agreement of **Responsible Use**, that is they agree to abide by the following.

- 1) All Cannabis grown is to be consumed for personal purposes only, not sold in any way and only sharing with other registered Medical Cannabis users is permitted.
- 2) All Cannabis must be grown and stored in a secure area and not be visible from outside the property
- 3) All Cannabis grown must be safely secured from children at all times
- 4) The patients is requested to keep up to date with their doctors about their medical use of Cannabis and undergo regular health checks and reports 'any' problems with their medical use of any kind to be recorded by their GP.
- 5) The patients must supply if requested a sample of ether Cannabis for research and testing purposes.

## **Background**

There have been lot of developments overseas in the last 20 years regarding the legal use of Medical Cannabis and many countries have levels of legality and legal medicines have been approved.

In some countries such as the US, Holland and Portugal, Spain and others there are widespread medical Cannabis industries personal growing and use allowed, professional Dispensories for Herbal Cannabis products exist and Professional Pharmaceutical companies grow and supply specialist Herbal Cannabis to the Medical market.

Herbal Cannabis fits fairly neatly into the supplementary medicines listing and have been used for thousands of years by people for medical purposes. Until the early 20<sup>th</sup> century Cannabis based medicines were widely available and produced by the Pharmaceutical companies of the time. Cannabis based medicines of any kind offer a different style of medication that works on the bodies endcannabinoid system and so provides method of treatment that is uavavailable via standard available medication and no Cannabis medicines are commonly available in Australia there is a growing level of support in Australia for an easing of restrictions regarding medical Cannabis that bodes well for proposals such as this

*"The use of cannabis for any purpose is illegal in Australia. Clinical trials of cannabis for medicinal purposes have been suggested; however, no jurisdiction has indicated it will conduct trials in the near future and there does not appear to be widespread support for medical trials at the government level. Support for a change in legislation permitting the use of marijuana for medical purposes remained relatively unchanged between 2004 and 2007. Two-thirds (68.6%) of respondents in the 2007 NDSHS survey supported "a change in legislation permitting the use of marijuana for medical purposes" and almost three-quarters (73.6%) supported "a clinical trial for people to use marijuana to treat medical conditions".*

*Females were slightly more likely than males to support either of these measures.*  
[http://en.wikipedia.org/wiki/Cannabis\\_in\\_Australia](http://en.wikipedia.org/wiki/Cannabis_in_Australia)”

## References

<http://www.medicalmarijuana.com.au>

## Conditions

There are dozens of medical conditions that can be successfully treated with Medical Cannabis the more common ones are

Chronic Pain  
Neuropathic pain  
Arthritis (all kinds)  
Migraines  
Spinal cord injury  
Skeletal muscular Disorders  
Chemotherapy side effects  
Cancer  
AIDS  
Stress related disorders  
Multiple Sclerosis  
Autism  
Epilepsy  
Depression  
Anxiety  
Mood Disorders  
High Blood pressure

more detailed list here

<https://www.marijuanadoctors.com/content/ailments/index>

The common forms of prescription medicines Medical Cannabis is often used to compliment or replace..

Opiates and other pain killers  
Anti-inflammatory  
Analgesics  
Anti-depressants  
many others

At the present time because the whole-scale illegal nature of the laws regarding said plant, its is illegal for Doctors to discuss Cannabis use from the perspective it is a medicine as its not listed in the pharmacopoeia and as far as I know doctors are only allowed to see Cannabis use as a 'problem' either needing treatment or prosecution.

The proposal could be activated in a few different ways or with various options, our first option is a discreet confidential trial that is designed to

1) Increase a Doctors legal powers to confer with patients about their illegal plant use i.e.: acknowledging the plant has legitimate medical usage and monitoring the patients health issues using Cannabis from this perspective

2)Protect the patient legally from Prosecution under current laws provided they adhere to the responsible use agreement

3)For both Doctors and patients to share information equitably, learn more about Medical Cannabis use in Herbal form and for Doctors to be able to monitor patients Herbal Cannabis usage legitimately and gain valuable knowledge in the emerging and ongoing use of Medical Cannabis combined with standard medical practices and medications.

The Amount of plants of Herbal Material patients need or are currently using.

This is a contentious area and current laws allow for 5-7 plants for personal use before any more plants are considered 'saleable quantities'.

In reality,in order supply a years worth of medical needs a patient may need to grow between 20-50 or more plants depending on their specific strains, strengths size and flowering time . Medical varieties of the plant are often Indica not Sativa which is a smaller denser plant and many high potency medical strains on Cannabis that contains the most useful amounts of THC, CBD , THCV and other cannabinoids. Such plants may yield between 10 and 100 grams of herbal material and so many smaller plants are used not the classic big plants that outdoors can grow to 3mtrs in height.

Another volume consideration is that many herbal users will prepare their medicine in the form of Concentrates to lower volume intake and increase potency. These include oil, Block concentrate, Alcohol based tincture edibles such as cookies, Cann abutter, candy or varieties of other home made herbal preparations.

For these reasons it is recommended that no restriction are place on the amount of plants but that people are not recommended to have more than 3-5kilos of Herbal material in their possession for a years supply. Bearing in mind that in Tasmania outdoor harvest is possible once a year but indoor growing may yield quarterly harvests.

For anyone reading this basic guides on how to grow Medical Cannabis that outline the details are available online..

<http://www.drugsense.org/mcwilliams/www.petertrial.com/grow.htm>

<http://www.drugsense.org/mcwilliams/www.petertrial.com/grow.pdf>

<http://www.amazon.com/How-to-Grow-Medical-Marijuana/dp/0967659205>

<http://en.wikipedia.org/wiki/Cannabinoids>

the Proposal proposes a confidential Medical exemption for legitimate patients using Medical Cannabis at their own choice. The idea is confidential to allow doctor patient confidentially to continue and avoid any public Melodrama regarding any full scale legalisation. After an appropriate and successful trial period an option to continue or expand the exemptions could be explored.

Special consideration needs to be given to Doctors position in this proposal. It's fair

to say that as the Endocannabinoid system was 'discovered' in 1988 and only 1 heavily restricted Cannabinoid medicine has been available in Australia (Marinol, a synthetic THC) and the prohibition seeks to keep 'any' information on Cannabis suppressed, that many Doctors have little or no training in the use Medical Cannabis, little experience and close to zero knowledge of strains, potencies, dosages, side effects or how to manage any Cannabis specific side effects or other issues that may arise.

This kind of confidential exemption would allow Doctors the opportunity to make some serious progress in learning locating and managing a patients medical Cannabis use.

On behalf on the Medical Cannabis community I hope that you can see this proposal timely and needed and intended to be fair to Patients, Doctors and Law Enforcement alike and a genuine attempt to move the issue forward in a responsible way for all Tasmanians and to free genuinely sick people from isolation, prosecution and the problematic quality and costs issues that surround Cannabis supply in the officially sanctioned Black market cannabis trade which is often the only other option to personal growing available to those using Medical cannabis to help treat serious illness.

The basis of this proposal attempts to provide a viable plan to diffuse the situation and move forward in legal and medical terms under current law, there is no current proposal to legalise Cannabis use or medical use but such a trial as this could help shed some light or what directions to take.

Kind Regards  
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Dear all, please note this proposal is currently for discussion purposes only and will be improved pending comments and examined by Lawyers, Doctors and users before being submitted to any government department. All efforts will be made to engage Doctors, Police and Government in crafting a proposal that will gain the confidences of all stakeholders in finding a way to move the issue forward.

There's no current proposed restriction on number of plants, we are intending that quantity issues to be outlined by patient needs and weight of herb produced.

There are many angles and details to be discussed and TGA approval, insurances- liability and all kinds of issues need to be examined and solutions tested.

The basic idea is to use this proposal doc to generate support and comment from interested parties 'before' putting it officially forward.

Please send any comments u have to the email address above..or join discussion on FB forums of Law Reform and the Australian HEMP party

thanks CLRNT

