

For immediate release:
June 28, 2007

Contact: Deborah Busemeyer
827-2619, 470-2290

Patients May Apply for Medical Marijuana Starting July 1

(Santa Fe) – Starting July 1, The New Mexico Department of Health will begin accepting patient applications for the medical marijuana program, written certification from medical providers and applications for primary caregivers if a patient is not able to act on his or her own behalf.

To qualify for medical marijuana, patients' primary care providers must certify that the patient has one of the eligible medical conditions, the condition is debilitating and that the benefit of medical marijuana would outweigh the potential risks.

The state law that was signed by Governor Bill Richardson this year specifies the following qualifying conditions for medical marijuana: cancer, glaucoma, multiple sclerosis, damage to the nervous tissue of the spinal cord with intractable spasticity, epilepsy and HIV/AIDS.

Patients can petition the Department to add a new condition to the list of qualifying conditions. A Medical Advisory Committee will review the petition and make a recommendation to the Department of Health, which will determine final approval.

The Department of Health will verify application information by calling providers, checking their medical license and in some cases, reviewing the medical records that support the condition.

“This program is about providing much needed relief for New Mexicans suffering from debilitating diseases,” said Health Secretary Dr. Alfredo Vigil. “We will also monitor the use of medical marijuana and prevent abuse.”

Once the Department of Health approves a patient application, the Department will give the patient an identification card that will provide him or her immunity from state prosecution for possessing up to six ounces of medical marijuana to ensure a three-month supply. A qualified patient can also have the personal cultivation of four mature marijuana plants and three immature marijuana seedlings. Anyone approved as a patient's primary caregiver will also be protected under state law.

Starting July 1, applications will be available on the Department of Health's website, www.nmhealth.org. The Department can also fax or mail applications, or people can pick up one at the Harold Runnels Building in Santa Fe, 1190 St. Francis Drive, during regular business hours Monday through Friday. For more information, call Melissa Milam at 827-2321.

-- MORE --

The law gives the Department of Health up to 30 days to process an application. Providers will not prescribe medical marijuana directly. Patients who are approved will have to obtain their own marijuana without input from the Department of Health or clinicians.

For patients who cannot access marijuana on their own, the Lynn and Erin Compassionate Use Act calls for the Department to develop a production and distribution system. The Department is consulting the New Mexico Attorney General's Office to determine the best way to proceed in light of the potential conflict between state and federal law.

As a next step, the Department will establish a medical advisory committee made up of eight board-certified practitioners representing the fields of neurology, pain management, medical oncology, psychiatry, infectious disease, family medicine and gynecology. The committee will convene at least twice a year to conduct public hearings and evaluate petitions to add conditions to the list of qualifying medical conditions.

###