



Cannabis Workgroup Findings

SUBSTANCE MISUSE PREVENTION COUNCIL ~ JULY 20, 2020

Workgroup ~ 6/26, 7/14

Purpose:

To tee up best practice info and resources from public health sector and make recommendations to take back to Council in July

Resources for review:

S.54 and House recommendations

Prevention Recommendations from MJ Commission report

HIA 2020 literature Review, compare to original 2016 HIA

Amer. Public Health Association recommendations

THC limits article vs. Others showing links to Psychosis

Drug Recognition Expert (DRE) data re: highway safety, re: THC thresholds for roadside testing, VT data

LA County California – Marijuana Policy Decision Matrix

Process & Findings

- ▶ MJ Commission, Prevention recommendations report
- ▶ Compare recommendations to what appears in the 2 bills ~ S.54 and House version

Recommendation by Committee	Senate Bill	House Amendment
Smoke Free Policy: Cannabis should be prohibited in all spaces where tobacco is prohibited	No public place consumption	Cannabis use is prohibited in all places named in smoke-free legislation (direct link)

Recommendation by Committee	Senate Bill	House Amendment
<p>Limit Access:</p> <ol style="list-style-type: none"> 1.Limit outlet density 2.Limite outlet type 3.Limit times of day sold 4.Limit age to 21 	<p>Limits age to 21 Bans internet and delivery services</p>	<p>Limits age to 21 THC potency limits - 50 mg max in package, 5mg dose edible (30% flower; 60% concentrates) Limits oils to prepackaged only Bans internet and delivery services</p>
<p>Increase tax:</p> <ol style="list-style-type: none"> 1.Establish minimum price laws 2.Prohibit price discounting 	<p>No language</p>	<p>No language</p>
<p>Allow for local control:</p> <ol style="list-style-type: none"> 1.Outlet density 2.Advertising 	<p>May opt out of having a new dispensary May create advertising restrictions</p>	<p>May opt out of having a new dispensary May create advertising restrictions</p>

Recommendation by Committee	Senate Bill	House Amendment
Limit Age to 21	yes	yes
Child Resistant Packaging	Yes	Yes - opaque, behind counter
Limit Advertising: 1.Prohibit Self Service Displays 2.Prohibit Internet Sales 3.Prohibit Free samples 4.Prohibit mass media advertising 5.Prohibit Flavored products	1.Yes 2.Yes 3.No language 4.Yes 5.No language	1.Yes 2.Yes 3.No language 4.Yes - strong language 5.Yes
Enforcing laws		Specific language about roadside safety
Funding		30% excise tax - budget recommendations made by SMPC for funding prevention

Preliminary Findings

- ▶ House version more closely aligned with the MJ Commission Prevention report recommendations
- ▶ Discussion is needed to form recommendations on Structure of the Cannabis Control Board
- ▶ S.54 does not propose amendments to Title 23, in specific 1201 (a) (3) - VT data can help form amendment recommendations
- ▶ Language missing from both: Enforcement (with the exception of roadside), Evaluation, Research, Monitor, Lab Testing
- ▶ Current potency limits are considered high
 - ▶ >15% THC in flower = 3x risk of psychosis and 5x if daily use

Gaps identified

Structural

- Advisory membership
- "Lens" of approach

Product

- Potency
- Licensing / retail models
- Free samples
- Minimum Price and Promotion not addressed

Roadway safety

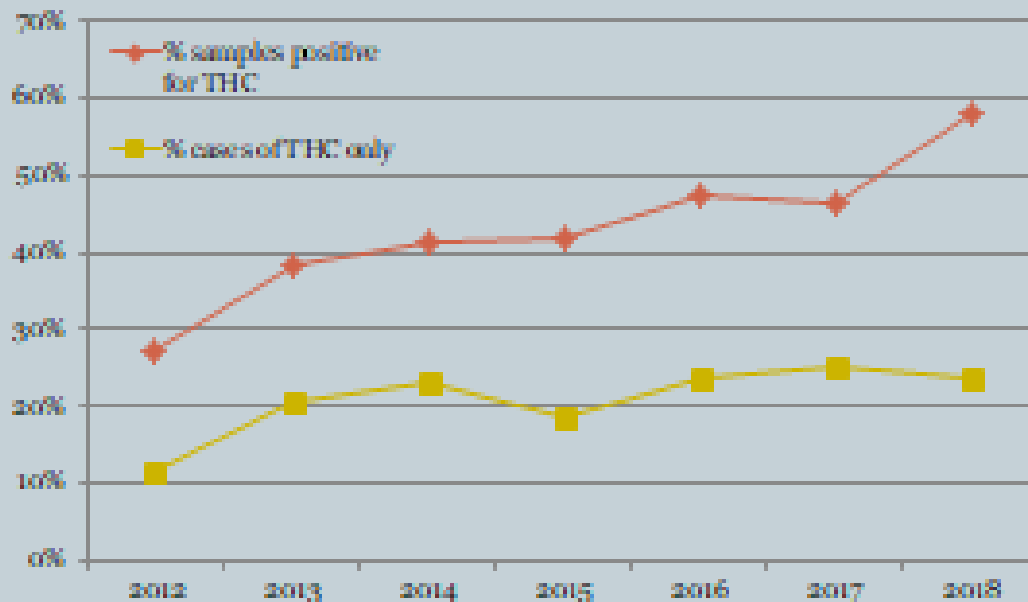
- Roadside testing thresholds lacking evidence base

Frequency of DUID Cases Involving THC



- ~1000 DUI blood samples tested (2012–2018)
 - In 2018, ~ 58% cases positive for Delta-9 THC
 - In 2018, ~ 23% cases Delta-9 THC only drug detected

% of Samples that Tested Positive for Delta-9 THC from 2012-2018



Title 23 : Motor Vehicles

Chapter 013 : Operation Of Vehicles

Subchapter 013 : Drunken Driving

(Cite as: 23 V.S.A. § 1201)

§ 1201. Operating vehicle under the influence of alcohol or other substance; criminal refusal; enhanced penalty for BAC of 0.16 or more

(a) A person shall not operate, attempt to operate, or be in actual physical control of any vehicle on a highway:

(1) when the person's alcohol concentration is 0.08 or more, or 0.02 or more if the person is operating a vehicle when the operation requires an operator's license with a school bus endorsement; or

(2) when the person is under the influence of alcohol; or

(3) when the person is under the influence of any other drug or under the combined influence of alcohol and any other drug; or

(4) when the person's alcohol concentration is 0.04 or more if the person is operating a commercial motor vehicle as defined in subdivision 4103(4) of this title.

Highway Safety ~

Local data suggests 0.02ng/ml for THC (DLL lab data)

- Propose amendment to Title 23, 1201 (a) (3), highway safety, related to VT data related to toxicology reports, specifically Cannabis/THC impairment

More time needed to:

- ▶ Formulate scientifically based recommendations on potency limits
- ▶ Explore initial RAND report to look at regulatory models suggested
- ▶ Discuss "Opt In" vs "Opt Out" regarding municipal participation. Linked to equity issues.
- ▶ Include 2019 YRBS data as part of recommendations
- ▶ Draft recommendations for review by full Council
 - ▶ By email if legislative timeline requires

Discussion:

- ▶ Timing of legislative discussion
- ▶ "Opt In" vs. "Opt Out"
- ▶ Energy consumption related to commercial grow
- ▶ CBD age restriction for sales?
- ▶ How to propose recommendation that Cannabis Control board be focused on public health rather than economic drivers

What else?

Questions?