



Compassionate Use Board Annual Report

STATE OF UTAH
Center for Medical Cannabis

To: Health and Human Services Interim Committee
From: Richard Oborn
Subject: Statutorily Required Report

Executive Summary

Utah Code 26-61a-105 (5)(f) provides that the Compassionate Use Board shall submit an annual report to the Health and Human Services Committee by November 1 of each year. The report must include the number of petitions approved by the Board during the past year and the types of medical conditions for which the Board received the petition. This letter provides this information along with some background and general information regarding the Board.

Utah law requires all medical cannabis card applications from individuals under the age of 21 include a petition to be reviewed by the Board. An individual without a medical condition specified in Utah Code 26-61a-104 (2) as a qualifying condition may submit a petition to the Board and obtain a medical cannabis card if approved by the Utah Department of Health. The Board recommends approval or denial of each complete petition to the department and the department either approves or denies each petition within 90 days of submittal of a complete petition.

The Board is comprised of seven board certified physicians appointed by the department’s executive director and confirmed by the Utah State Senate. Three Board members are board certified in pediatrics. All information submitted in a petition is confidential. Only Board members and Department staff are authorized to review Board petitions and attend Board meetings.

The Department began accepting medical cannabis card applications and Board petitions in March 2020. The Board’s first meeting was held in March 2020 and there have been 18 subsequent meetings.

The following tables report the number of petitions approved or denied by the Board at meetings held between September 2020 to September 2021 and the types of medical conditions for which the Board approved petitions.

Table 1. Number of Petitions Approved and Denied

	Approvals		Denials	
	Minors	Adults	Minors	Adults
Sep-20	10	1	0	0
Oct-20	26	0	0	0
Nov-20	16	0	0	0
Dec-20	15	2	0	0
Jan-21	36	3	0	0
Feb-21	40	1	2	0
Mar-21	19	2	2	0
Apr-21	17	0	0	0
May-21	10	3	1	0
Jun-21	12	1	0	0
Jul-21	13	1	1	0
Aug-21	14	1	2	0
Sep-21	17	0	0	0
Total	245	15	8	0

Table 2. Number of Approved Petitions by Medical Condition

Medical Condition	# Approved	% of Total Approved
Anxiety*	9	3%
Autism	48	18%
Cachexia	1	<1%
Cancer	6	2%
Chronic Pain	94	36%
Crohn's Disease	4	2%
Debilitating Seizures	3	1%
Epilepsy	12	5%
Fetal Alcohol Syndrome*	1	<1%
HIV	1	<1%
Inclusion Body Myositis*	1	<1%
Insomnia*	6	2%
Nausea	9	3%
Persistent Muscle Spasms	3	1%
Premenstrual Dysphoric Disorder*	2	1%
PTSD	53	20%
Rare Condition	3	1%
Terminal Illness	2	1%
Ulcerative Colitis	1	<1%
Unspecified Intellectual Disabilities*	1	<1%
Total	260	

*indicates a condition that is not listed in Utah Code 26-61a-104(2) as a qualifying condition.

Of the 243 petitions approved since September 2020, 228 were submitted for patients under the age of 21 (94%), and 15 were adults who were age 21 or older (6%). Two of the approved applications were approved under the expedited rule due to the patient's terminal illness diagnosis. Of the eight petitions denied by the Board, all were under the age of 21. Of the petitions reviewed, 42 petitions needed more information to reach a determination. The Department has requested additional information from the patient and their medical provider in these cases.

The Department has also made many changes to the Board process in an effort to streamline and improve the review of patient petitions. The following list describes these changes in further detail:

Research Electronic Data Capture (REDCap) Compassionate Use Board Petition

The Department created an electronic version of the Compassionate Use Board petition in the secure webhosted application REDCap which decreases the burden on the Qualified Medical Provider (QMP).

- Eliminates the need to download and complete the petition.
- Eliminates the need for the QMP to upload documents to the Electronic Verification System (EVS).
- Identifies all required information needed for Board review via an electronic message.

REDCap also decreases the burden of review for the Department by:

- REDCap sends a notification to the Department as soon as a petition is submitted.
- REDCap eliminates the need for the Department's Senior Registered Nurse to manually check each patient in the EVS for Board submission.

Complete Petition Basic Requirements

Medical cannabis is not to be considered a first line treatment for any medical condition and as such the Board requires the QMP submit documentation to support the need for treatment beyond current medical standards. Each condition may have specific details the Board considers necessary, but the primary responsibility of the QMP is to demonstrate the patient's condition is intractable with documented failures of standard medical treatments.

This requirement may be satisfied by the submission of the following but is not limited to:

- A detailed examination of the medical condition submitted by the QMP.
- A letter from the patient's primary treatment team confirming they were informed of the patient's decision to seek medical cannabis.
- Submission of past treatment records for the requested medical condition.

Expedited Patient Approval Criteria

The Department adopted an administrative rule that allows for expedited patient petitions to be approved by the Board Chair. Utah Administrative Code R380-412 decreases the wait time for patients who meet the following criteria:

- Diagnosis with a terminal illness and a life expectancy of six months or less;
- Present symptoms not adequately managed with standard therapies that may reasonably be expected to be alleviated by medical cannabis; and
- A recommendation for medical cannabis by a QMP who is directly and regularly involved in the individual's medical care (e.g., the individual's primary care, palliative care, hospice care, oncology, neurology, or other provider).

Conditional Card Renewals

In certain patient cases the Board will identify need for the patient to receive follow up assessment of the cannabis treatment by the QMP, primary care provider, or specialty provider. In these patient cases the Board will identify specific conditions for renewal of their medical cannabis card to be submitted for review for renewal by the Board. The Board is dedicated to ensuring patients recommended for medical cannabis receive adequate and ongoing oversight by their medical team.

Board Patient Case Provider Reviews

The Board members participate in detailed reviews of patient cases and present their findings during the Board meeting. Patient assignments are made by the Department's Senior Registered Nurse and allow Board members to review cases related to their respective specialties.

If there are any questions about information in this report, please contact Sarah Ponce, MS, RN, Senior Registered Nurse, with the Utah Department of Health, at sponce@utah.gov.