



**COHESIVE HEALTHCARE MANAGEMENT & CONSULTING**  
**MANGUM REGIONAL MEDICAL CENTER**

TITLE		POLICY	
Medical Marijuana: Patient Use		NUR-025	
MANUAL	EFFECTIVE DATE	REVIEW DATE	
Nursing			
DEPARTMENT	REFERENCE		
Nursing			

**SCOPE**

This policy applies to all patients that utilize the services at Mangum Regional Medical Center.

**PURPOSE**

On June 26, 2018 State Question (SQ) 788 was passed and codified in Oklahoma Statutes Title 63 Sections 420A-426. This law makes it legal to possess, cultivate, manufacture and/or sell medical marijuana, medical marijuana products and paraphernalia pursuant to the terms of state-issued licenses (although illegal under Federal Law). The law establishes 8 license categories: medical marijuana patient, caregiver, temporary MMJ holder (out of state), grower, processor, dispensary, transportation and research. The purpose of this policy is to provide guidance regarding medical marijuana prescribing and patient use.

**DEFINITIONS**

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**POLICY**

The hospital is committed to following the rules, regulations, and laws as set forth by the State and Federal governments and the Centers for Medicare and Medicaid Services (CMS) Conditions of Participation. It is the policy of this hospital to strictly prohibit the use, prescription, administration, distribution, and dispensation of non-medical marijuana or medical marijuana by its employees, medical providers, patients, or visitors while on the hospital premises or associated areas.

According to Federal Law, no prescriptions may be written for Schedule I substances, and they are not readily available for clinical use. Tetrahydrocannabinol (THC, marijuana) is still considered a Schedule 1 drug by the DEA, even though some U.S. states have legalized marijuana for personal, recreational use or for medical use. Schedule I substances are defined as:

- a) drug or other substance has a high potential for abuse;
- b) drug or other substance has no currently accepted medical use in treatment in the United States;
- c) a lack of accepted safety for use of the drug or other substance under medical supervision.

Cannabis use by patients is illegal under federal law. Failure of the hospital to comply with the Federal Law and because the hospital is accredited through the Center for Medicare & Medicaid Services, the hospital could be found to be in violation, lose federal funding, and face penalties. Clinicians are also prohibited from prescribing or providing the drug in a hospital because it is not approved by the US Food and Drug Administration (FDA).

*As a result, regardless of the state's medical marijuana laws, a health-care provider may not prescribe marijuana for medical use due to the federal prohibitions on prescribing schedule 1 substances.* Medical providers are prohibited from prescribing, storing, or dispensing marijuana while providing professional services to the patients of the hospital. This plan does not apply to the medical provider's practice.

The hospital must ensure that drugs and biologicals are managed in a manner that is safe and appropriate, and that its pharmacy system provides all drugs and biologicals prescribed by the hospital's practitioners in a timely manner for administration to its patients.

The hospital must comply with the rules in accordance with accepted professional principles of pharmacy and medication administration practices. Accepted professional principles include compliance with applicable Federal and State law and adherence to standards or guidelines for pharmaceutical services and medication administration issued by nationally recognized professional organizations, including, but not limited to: U.S. Pharmacopeia ([www.usp.org](http://www.usp.org)), the American Society of Health-System Pharmacists (<http://www.ashp.org/>), the Institute for Safe Medication Practices (<http://www.ismp.org/default.asp>), the National Coordinating Council for Medication Error Reporting and Prevention ([www.nccmerp.org](http://www.nccmerp.org)); the Institute for Healthcare Improvement (<http://www.ihp.org/ihp>); or the Infusion Nurses Society (<http://www.ins1.org>).

## **PROCEDURE**

### **Patient Guidelines**

1. Patient use of medical or non-medical marijuana is strictly prohibited on the hospital premises and its associated areas.
2. If on admission a patient informs hospital staff they are a medical marijuana user and are in possession of medical marijuana, the patient will be given the option to send the medical marijuana home with a personal representative of their choice or have it secured by the hospital as a personal belonging. The Charge Nurse or Administrator shall be notified immediately.
3. If the patient chooses to send the medical marijuana home, the patient will be required to sign a "Medical Marijuana Release" form. All medical marijuana will be inspected and

verified for quantity and description by the patient and the responsible staff member for accuracy. The Charge Nurse or Administrative staff will be responsible for reviewing the form with the patient and ensuring the form is signed. The medical marijuana will be released to the patient's personal representative of choice and a copy of the release form will be given to the patient. In addition, a copy of the patient's medical marijuana license will be provided to the personal representative with permission of the patient. The original copy of the Medical Marijuana Release form will be retained by the responsible administrative staff.

4. If the patient chooses to have the medical marijuana secured by the hospital as a personal belonging, the patient will be required to sign a "Medical Marijuana Release" form. The Charge Nurse or Administrative staff will be responsible for reviewing the form with the patient and ensuring the form is signed. All medical marijuana will be inspected and verified for quantity and description by the patient and the responsible staff member for accuracy. The medical marijuana and the release form will be retained in a secure manner and location by the responsible administrative staff until the patient discharges. The hospital will secure such personal patient belongings as related to this policy in the Administration safe.
5. Upon discharge the patient's medical marijuana will be released to the patient and the release form signed by the patient. All medical marijuana will be inspected and verified for quantity and description by the patient and the responsible staff member for accuracy. A copy of the release form will be given to the patient and the original release form will be retained by the responsible administrative staff.
6. The patient's medical provider will be notified, and consideration will be given to alternative medications that can be ordered appropriate to the patient's need and condition.
7. To meet compliance with Federal Law, the hospital will not be able to store or maintain the marijuana for use by the patient.
8. No hospital personnel will be allowed to assist with the administration or dispensing of any form of marijuana.
9. For all instances of patient possession of marijuana, the hospital administrative staff will be notified, and an incident report completed by the person of discovery. All reports will be forwarded to the Quality Manager.

### **Medical Marijuana Waste Disposal**

All medical marijuana waste generated must be disposed of as set forth by the Uniform Controlled and Dangerous Substances Act, 63 O.S. §2-101 et seq., and OAC 252:205.

**REFERENCES**

§802, §812 USC Title 21 Controlled Substances Act, Drug-Free Workplace Act of 1988, SOM Appendix W §485.635(a)(3)(iv), 42 CFR §482.25, Title 40 Oklahoma Statutes §40-554, OSHA 29 CFR §1904.35(b)(1)(iv), SQ 788, OS Title §63 420A-426

**ATTACHMENTS**

GEN-025A Medical Marijuana Release Form

**REVISIONS/UPDATES**

<b>Date</b>	<b>Brief Description of Revision/Change</b>