

Strategies to address product availability concerns

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1. Identify the problem
2. Evidence of the problem
3. Patient product request system options
4. Issue additional medical cannabis pharmacy licenses
5. Medical cannabis pharmacy minimum shelf-space mandate

Presentation outline

Problem definition

Some patients can't find the medical cannabis product needed to treat their medical condition at the medical cannabis pharmacy nearest to them or available through delivery.

DHHS 2022 medical cannabis market analysis survey results

- Utah medical cannabis pharmacies consistently have the product(s) that I need.
 - **27% disagreed – 61% agreed – 12% undecided.**
- Utah medical cannabis pharmacies have a good variety of available products.
 - **25% disagreed – 57% agreed – 17% undecided.**

Is there support for a patient product request ordering system?

- Medical cannabis licensees (pharmacies, processors, cultivators) were divided on whether a processor should be able to receive patient product request order that would be delivered to a medical cannabis pharmacy and picked up by a patient.

Pharmacy- facilitated patient product request system option (status-quo)

A patient:

1. Requests a medical cannabis pharmacy acquire a particular medical cannabis product needed to manage their medical condition.
2. The product(s) can be made available purchase at the medical cannabis pharmacy.
3. The pharmacy is not required to accept the request.
4. If the request is accepted, the processor and the pharmacy coordinate the price and product delivery to the pharmacy location where the patient pays for and picks it up.

For

1. Market forces should determine what products are made available for purchase by a patient at a medical cannabis pharmacy. Requiring that a pharmacy fill these requests is too much government involvement.
2. Pharmacies should always have confidence and control over the products they sell.
3. Pharmacies are the patient-facing licensee of our program by design. Allowing processors or the state to conduct transactions narrows their importance.

Against

1. If pharmacies are not required to facilitate patient product requests, patients will be unable to find the medical cannabis product that best manages their medical condition at the medical cannabis pharmacy nearest to them or available through delivery.
2. Pharmacies are unlikely to fulfill patient product requests if response is voluntary.

Pharmacy-facilitated patient product request system option (status quo)

Processor- facilitated patient product request system option

1. Processor posts inventory available for “patient product requests” on the processor’s website.
 - Website lists total price of ordering product(s) (including cost of delivery), medical cannabis pharmacy location pick up options (voluntary and mandated) and the earliest that the product could be delivered to the desired pharmacy location.
2. Patient visits the website, sees the product’s total price, selects a pharmacy location for pick-up, and is informed of date and time when the product will first be available for pick-up.

For

1. Patients have more control over the type of products they can order online.
2. Market forces do not always advance patient access and this is not fair to patients.
3. Pharmacies will feel more pressure to sell a better variety of products and patients need a better supply of products.

Against

1. Medical providers and pharmacists, not processors, are best educated to guide patients to products that best treat their medical conditions.
2. Price and discounts may have too much influence on a patient's choice of a product due to fact that product is being ordered off a processor website.
3. Pharmacy and processor websites that reflect the same or similar information and pricing may cause confusion among patients.
4. Processors would likely find transportation of product request orders too cost-prohibitive.
5. Pharmacies should not be required to store and dispense a product they are uncomfortable with and may know little about.

Processor-facilitated patient product request system option

State-facilitated patient product request system option

1. Processor posts inventory available for “patient product requests” on a state website.
 - Website lists total price of ordering product(s) (including cost of delivery), medical cannabis pharmacy location pick up options, and the earliest that the product could be delivered to the desired pharmacy location.
2. Patient visits the website, sees the product’s total price, selects a pharmacy location for pick-up, and is informed of date and time when the product will first be available for pick-up.
3. State system notifies the processor and pharmacy of the order and expected arrival date.
4. Processor delivers product to the pharmacy and the pharmacy dispenses to the patient.

Arguments for

1. Patients have more power over the type of products they can order online and pick up at the pharmacy nearest to them.
2. Pharmacies will feel more pressure to sell a better variety of products and patients need a better supply of products.
3. A state-facilitated product request system could incentivize licensees to work together.

Arguments against

1. The software will be challenging for the state to manage.
2. The state shouldn't obligate licensees to work together.
3. Concerns about favoring non-vertical licensees.

State-facilitated patient product request system option

Options to reduce patient product request retail price

1. Deliver product request orders with regularly scheduled processor shipments.
2. State vendor delivers patient product requests.
3. Require multi-unit orders.

1. Patient product request options

- a.** Pharmacy-facilitated patient product request option (status quo and voluntary)
- b.** Processor-facilitated patient product request option
 - i.** Voluntary pharmacy participation?
 - ii.** Mandatory pharmacy participation?
- c.** State-facilitated patient product request option

2. Issue additional medical cannabis pharmacy licenses after UDAF market analysis

- a.** Issue additional pharmacy licenses without conditions
- b.** Issue additional pharmacy licenses with condition of never having ownership connection with a Utah-licensed cultivator
- c.** Issue additional pharmacy licenses with RFP awarding additional points for being an existing Utah independent processor (without cultivation license) or where licensee is obligated to a minimum shelf-space mandate

3. All medical cannabis pharmacies required to have a minimum shelf-space mandate

Recommendation options