



November 19, 2024

Attn: Medical Cannabis Policy Advisory Board

Re: Medical cannabis use by participants in problem-solving courts

KindlyMD appreciates the opportunity to provide comment on the memo dated November 1, 2024 by Mickael C. Drechsel, addressed to the MCPAB. We understand court's intention is not to override any decisions made by medical professionals, but to clarify a contradiction in the current law.

As a healthcare company that has and does receive referrals from the problem-solving courts, specifically veterans who need management of opioids, medical cannabis, and behavioral health, we provide this feedback from a medical provider perspective. We fully understand the complexity of these cases and the need to treat patients with the best standards of care while maintaining compliance with state law. Please consider the following addition to your proposed addition to Subsection (4) to Utah Code 78A-2-231:

*(4) Subsection (3) does not apply in a problem solving court if:  
(a) a treatment provider, **who is also a QMP, and** who is a participating member of the problem solving court multidisciplinary team determines that the possession or use of medical cannabis will present a barrier to an individual's ability to successfully complete the approved problem solving court treatment plan;*

Contacting the patient's existing QMP, while beneficial, may be challenging, could delay treatment, is not standard practice for many other medications. However, requiring the treating provider to be a registered Utah QMP provides the patient, and the court, with access to a provider educated on the risks and benefits of medical cannabis. We believe this addition offers the patient an appropriate standard of care.

As you state, the code requires the court to consider medical cannabis like any other medication. Furthermore, the treating medical provider must have the authority to modify the treatment plan, including removing or changing the recommendation for medical cannabis with the goal of long-term recovery of the patient. Please feel free to contact my office with additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Pickett".

Tim Pickett, MPAS-C, QMP  
KindlyMD

