Publication of the *Regulations Amending the Marihuana Medical Access Regulations* (MMAR)

This is to advise you that the *Regulations Amending the Marihuana Medical Access Regulations* were published in the *Canada Gazette,* Part II, on June 29, 2005.

The regulatory amendments are based on input received from stakeholders since the MMAR came into force in July 2001, as well as a comprehensive review and consultation process conducted over 2003 and 2004. The amendments were pre-published in *Canada Gazette*, Part I, on October 23, 2004, for a 30-day comment period. None of the comments submitted led to changes to the regulatory proposal. These amendments include provisions for the following key changes:

1. streamlining the process for obtaining an authorization to possess marihuana for medical purposes by:
   - reducing the number of categories of symptoms under which a person may apply for authorization to possess from three to two, by merging existing categories one and two;
   - eliminating the need for an applicant to see a specialist for the sole purpose of having the Medical Declaration signed;
   - revising the Applicant's Declaration to acknowledge acceptance of risks associated with the use of marihuana for medical purposes;
   - revising the physician's Medical Declaration to include only those elements essential to confirm that the applicant suffers from a serious medical condition and that conventional treatments are inappropriate or ineffective;
   - requiring authorized persons to submit a new photograph for identification purposes with every fifth renewal, rather than every second;

2. streamlining application processes for amending and renewing an authorization to possess;

3. providing explicit authority for the Minister of Health to communicate limited authorization and licence information to Canadian police in response to a specific request received from Canadian police in the context of an investigation under the *Controlled Drugs and Substances Act* or the MMAR;

4. providing limited authority for a pharmacy-based distribution system of dried marihuana that is produced by a licensed dealer on contract with Her Majesty in right of Canada, to authorized persons without a prescription from a physician. This will allow the conduct of a pilot project to assess the feasibility of distributing marihuana for medical purposes through the conventional pharmacy-based drug distribution system.

These amendments will maintain an appropriate balance between providing seriously ill persons with compassionate access to marihuana, on the one hand, and the need to regulate marihuana, a controlled substance and unapproved drug product, on the other. They also serve to assist Health Canada in moving the provision of marihuana for medical purposes in Canada toward a more traditional health care model.

These and other amendments to the MMAR are set out in the Regulations, and explained in the Regulatory Impact Analysis Statement (RIAS). The Regulations and RIAS are available on the *Canada Gazette* web site at:

http://canadagazetteducanada.gc.ca/partII/2005/20050629/pdf/g2-13913.pdf
http://canadagazetteducanada.gc.ca/partII/2005/20050629/html/index-e.html

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Additional information is available on Health Canada's web site at:
http://www.hc-sc.gc.ca/hecs-sesc/marihuana/index_e.html

Your attention is drawn, in particular, to the document titled, *Communication of Information to Canadian Police Agencies*, which provides additional details related to operational policies and procedures for safeguarding information collected under the MMAR.

Should this notification not reach the appropriate contact person, would you please forward it to the appropriate person and inform the Office of Controlled Substances of this change by sending an e-mail to: OCS_Policy_and_Regulatory_Affairs@hc-sc.gc.ca.