

BIG HORN HOSPITAL ASSOCIATION MEDICAL MARIJUANA POLICY

Title: **Medical Marijuana Policy**

Date: **September 2010**

Revised:

Approved By:

Policy:

Non-prescription marijuana use is **NOT** permitted on the BHHA campus. Non-prescription marijuana use in the hospital may not be ordered or authorized by any medical provider of the facility.

Principles:

1. Big Horn County Memorial Hospital, Swing Bed and Long Term Care, under the umbrella of Big Horn Hospital Association (BHHA) recognizes that the Montana Medical Marijuana Act permits certain individuals to legally possess and use small amounts of marijuana to help manage symptoms of debilitating medical conditions. This is not considered a prescription drug.
2. Legal authority to possess marijuana is established by presenting a Registry Identification Card issued by the Montana Public Health and Human Services.
3. BHHA provides treatment for medical conditions and effective treatment for these conditions normally requires the individual to abstain from using commonly abused substances including alcohol, marijuana, other illicit drugs, and prescription drugs. Using any form of marijuana (except the prescription drug Marinol) during a hospitalization may place patients at risk for adverse drug reactions and / or adversely affect the course of treatment and recovery. BHHA has multiple other options available to patients for pain and nausea control.
4. The Montana Clean Air Act prohibits any type of smoking inside a health care facility.
5. BHHA has a Tobacco Free / Smoke Free Policy that prohibits smoking anywhere on any BHHA campus.
6. Storing non-prescription marijuana (a Schedule 1 drug) in the hospital pharmacy would violate the Federal Drug Enforcement Administration Controlled Substance Act and Montana Board of Pharmacy Dangerous Drug Act.

Important Information:

1. BHHA is certified to participate in the federal Medicare and Medicaid programs and as such must prohibit the possession and use of marijuana at all of our facilities. The answer is the same whether the patient wants to use marijuana in his or her room or anywhere else on facility property.

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2. BHHA staff may not allow marijuana in rooms, in the buildings or on the grounds whether or not in smoked forms
3. BHHA staff is prohibited from assisting with the use of medical marijuana.

Procedure:

A. Admission:

1. At the time of admission, if a patient is found to be in possession of non-prescription marijuana, they will be asked to present a Registry Identification Card.
2. If the patient does not present with a Registry ID Card, hospital staff will contact law enforcement to verify that the patient possesses a Registry ID Card. Hospital staff may only request verification from law enforcement and may not disclose any other protected health information or information regarding the marijuana to law enforcement at this time.
 - For example: "I am calling to have you check if Jane Doe has a Medical Marijuana Registry ID Card."
 - Do not give the law enforcement any information regarding if the patient has marijuana in their possession when you call. They cannot be given any additional information.
3. Two licensed staff members will place the marijuana, related paraphernalia, and Registry ID Card in a patient valuables envelope, or larger envelope if necessary, with the patient's label on the outside of the envelope. Record the contents on the outside of the envelope also. The patient (or patient's representative) and both licensed staff members must sign, date and record the time on outside of the envelope to verify the contents.
4. The sealed envelope will be stored in a designated lock box. This locked box will be stored at the nurses' station.
5. The key to the locked box will be stored in the narcotic cupboard at the nurses' station.
6. The patient's nurse will notify the attending provider and document the transaction in the patient's medical record. The patient's chart will be tagged with a reminder that the patient has home medication to be returned at discharge.

B. Continued Care / Transfer / Discharge

1. If non-prescription marijuana is discovered at any point in the patient's stay after admission, the same procedure outlined in Section A of this document will be followed.

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2. At the time of discharge or transfer, if the patient has:
 - Presented a valid Registry ID Card,
 - Been verified to have a Registry ID Card by law enforcement
 - Or if law enforcement is unable to verify that the patient does not have a Registry ID Card by the time of discharge
 - This means that law enforcement has been contacted but for whatever reason the facility has not been notified of the results of the inquiry

The stored marijuana and related paraphernalia will be returned to the patient at the time of discharge or transfer.

3. Two licensed staff members will verify the contents of the envelope with the contents list on the outside of the envelope. Both licensed staff members and the patient (or patient's representative) will sign, date and time the envelope to verify that the items have been returned to the patient.
4. The patient's nurse will document the transaction in the patient's medical record. A photocopy of the signed envelope will be placed in the patient's medical record. The envelope does not have to be saved.
5. If law enforcement verifies that the patient does **NOT** possess a valid Medical Marijuana Registry ID card, hospital staff will notify law enforcement. The marijuana and related paraphernalia will be turned over to law enforcement.

References:

Montana Medical Marijuana Program

<http://www.dphhs.mt.gov/medicalmarijuana/index.shtml>

Montana Medical Marijuana Act

http://data.opi.mt.gov/bills/mca_toc/50_46.htm

Montana Clean Indoor Air Act

http://data.opi.mt.gov/bills/mca_toc/50_40_1.hmt

ADMINISTRATIVE RULES OF MONTANA, Department: LABOR AND INDUSTRY, Chapter: BOARD OF PHARMACY, Subchapter: Dangerous Drug Act , 24.174.1401- 1412

<http://www.mtrules.org/gateway/ruleno.asp?RN=24%2E174%2E1401>

DEA Controlled Substance Act

<http://www.justice.gov/dea/pubs/csa.html>

