

# DEPARTMENT OF CONSUMER PROTECTION



Testimony of William Rubenstein  
Commissioner of Consumer Protection

Judiciary Committee Public Hearing  
March 7, 2012

Raised House Bill 5389 "An Act Concerning the Palliative Use of Marijuana"

Sen. Coleman, Rep. Fox, Sen. Kissel, Rep. Hetherington and Honorable Members of the Judiciary Committee, I am William Rubenstein, Commissioner of Consumer Protection. Thank you for the opportunity to provide written testimony in support of House Bill 5389, "An Act Concerning the Palliative Use of Marijuana."

Similar to last year's bill, SB-1015 (2011), this bill allows for the use, acquisition, possession, cultivation and distribution of marijuana under well-defined circumstances to alleviate a qualifying patient's symptoms of a debilitating medical condition. Further, it provides for a prominent role by the Department of Consumer Protection to ensure proper registration of patients and physicians, as well as to provide for the necessary enforcement provisions of this proposal. In addition, this year's bill includes a well-defined system of approved marijuana producers and marijuana dispensaries that must be licensed by the Department. The bill defines a licensed dispensary as a DCP registered pharmacist who is deemed to be qualified to acquire, possess and dispense marijuana acquired from approved producers and specifically registered with the Department for that purpose.

This proposal requires that qualifying patients and physicians that elect to certify the palliative use of marijuana for their patients are required to register with the Department and to

pay a fee which is deposited into a nonlapsing "palliative marijuana administration account." The proceeds of this account are to be used to provide funding to the Department of Consumer Protection for administering the provisions of this act. Likewise, registered Marijuana producers and dispensaries shall pay a licensing and renewal fee that will be deposited to this account.

Additionally, this proposal provides that law enforcement agencies may contact the Department to verify whether a qualifying patient or a primary caregiver is properly registered with the Department. They may also obtain information contained in the registry for law enforcement purposes.

The Department has carefully reviewed the administrative components of this proposal and we are supportive of the requirements and safeguards contained in the bill and we believe that DCP is the appropriate agency to assume these responsibilities.

Significantly, we are confident that the Department's current use of computer technology places us in a reliable position to take on the crucial task of meeting the confidentiality requirements needed to comply with this proposal. Specifically, DCP's Drug Control Division currently administers the State's Prescription Drug Monitoring Program via computer software called the Connecticut Prescription Monitoring and Reporting System (CPMRS). This system is used today by physicians, pharmacists and law enforcement officials to monitor distribution of controlled substance prescriptions. In addition to serving as a repository for prescribed drugs, it provides the capability to monitor distribution of controlled substance prescriptions, to identify patterns of abuse and fraud, and to initiate enforcement action when necessary. CPMRS could readily be used to support the registrants anticipated in to this bill.

Thank you for your consideration of these comments in support of the HB 5389. Please feel free to contact me if I can address any additional questions regarding this bill.