



March 28, 2022

The Honorable Richard D. Roth
Chair, Senate Business, Professions and Economic Development
1021 O St., Ste. 7510
Sacramento, CA 95814

**RE: SB 1186 (Wiener): Medicinal Cannabis Patients' Right of Access Act
Notice of Support/Sponsor**

Dear Chairman Roth:

On behalf of the California Cannabis Industry Association (CCIA), I write in strong support of SB 1186 (Wiener), which establishes a new chapter within the Medicinal and Adult Use Marijuana Regulation and Safety Act (MAUCRSA), entitled the Medicinal Patients' Right of Access, aimed at restoring much needed access to medicinal cannabis across California.

While California was the first state to legalize medicinal cannabis with the passage of Proposition 215 in 1996, the passage of the Adult Use of Marijuana Act (also known as [Proposition 64](#)) in 2016, legalizing the recreational use of cannabis by adults, has led to fewer legally permissible cannabis retailers in the state than there were in 2015. In other words, medicinal cannabis is harder to find than it was a decade ago.

According to an October 2021 report published by [Politico](#), there are approximately 2 legal dispensaries per 100,000 people, one of the lowest rates in the nation among states supporting adult use sales. By comparison, Oregon has 17.9 retail shops for every 100,000 residents. Colorado has a similar ratio and Washington State's rate is more than triple California's.

The root of the problem can be found in Proposition 64's dual licensing structure, whereby cannabis businesses must be licensed by both the State and the appropriate local jurisdiction to legally operate. According to the Secretary of State, 393 out of 540 jurisdictions voted in favor of Proposition 64, yet, to date, approximately two-thirds of California cities and counties still prohibit commercial cannabis retail. The shortage of legal cannabis retail businesses has fueled an ever-growing illicit cannabis market, which is estimated to be worth nearly \$8 billion annually.

Proposition 64 inadvertently triggered the closure of thousands of medicinal cannabis dispensaries and the creation of new "dry" zones across the state where unlicensed cannabis businesses have a monopoly on cannabis commerce. This is not a theoretical issue, but a human one. Cannabis is extremely effective at treating seriously ill patients:

- In 2017 the National Academies of Sciences, Engineering, and Medicine reported that there is [conclusive evidence](#) that oral cannabinoids are, "effective in preventing and treating chemotherapy-induced nausea and vomiting in adults."
- The same [National Academies of Science and Engineering](#) report found substantial evidence that cannabis is an effective treatment for adult chronic pain.

- A University of California at Berkeley study found that [81% of patients reported](#) that cannabis alone was more *effective* at relieving their pain than using an opioid.
- A [study](#) by the Johns Hopkins School of Medicine, several local Veterans Affairs Health Care Systems and other institutions collaborated on a year-long study of post-traumatic stress disorder (PTSD), which found that PTSD sufferers who used cannabis were 2.57 times more likely to recover during the study than those who weren't using cannabis.

Cancer patients looking for relief from painful symptoms and treatment; veterans looking for a non-pharmaceutical alternative for PTSD-related sleep issues and stress and chronic pain sufferers looking for a safe, long-term alternative to opioids - these are the people for whom California wrote the Compassionate Care Act of 1996, and the people to whom we owe a duty of loyalty today.

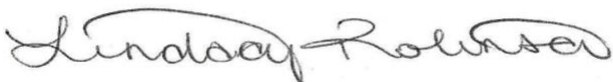
SB 1186 seeks to right this wrong and prioritize patient health by prohibiting local jurisdictions from adopting or enforcing any regulation that blocks access to legal cannabis products for sale to qualified medicinal cannabis patients. It also requires all local jurisdictions to adopt ordinances authorizing medicinal cannabis and medicinal cannabis products, by authorizing medicinal delivery and/or storefront retail.

SB 1186 does not seek to overturn local control or prevent local jurisdictions from “just saying no” to adult-use cannabis businesses. It simply prevents jurisdictions from barring patients from accessing the lifesaving medicine they need. In other words, it honors Californian voters’ long-standing commitment to ensure that patients have access to safe, tested, and effective medicinal cannabis and cannabis products.

For these reasons, CCIA is proud to sponsor SB 1186 and respectfully requests your AYE vote when it is presented in the Senate Business, Professions and Economic Development Committee on April 4, 2022.

Should you have any questions or require further information, please contact CCIA’s legislative advocate, Amy O’Gorman Jenkins, at 707-291-3270 or amy@precisionadvocacy.co.

Respectfully,



LINDSAY ROBINSON
Executive Director

CC: Senator Scott Wiener
Members, Senate Business, Professions and Economic Development Committee
Alexandria Smith-Davis, Consultant, Senate Business, Professions and Economic Development Committee
Kayla Williams, Consultant, Senate Republican Caucus