

Sacramento County Public Health Advisory Board

Meeting Minutes

February 7, 2018 (12:07 PM - 1:25 PM)

Meeting Location

Primary Care Center
4600 Broadway
Sacramento, CA 95820
Conference Room 2020

Moderator: Dr. Steven Orkand

Scribe: Theresa Vinson

Board Attendees: Felicia Bhe, Jofil Borja, Steve Heath, Barbara Law, Olivia Kasirye, Farla Kaufman, Steve Orkand, Emmanuel Petrisor, Kimberly Sloan, Phillip Summers, Jack Zwald

Board Members Excused: Paula Green Martha Moon, Jeffrey Rabinovitz

Board Members Absent:

Guest Speakers: Zarah Cruz, Program Specialist
Office of Cannabis Policy and Enforcement, City of Sacramento

Guests: Kathy Wright, Beverly Smiley, Lauren Rountree, Christie Meredith, Tina Lee, Pamela Harris, Paul Tanner

Meeting Opened at 12:03 PM

Welcome and Introductions

Dr. Orkand welcomed PHAB members and guests.

Minutes Review

Minutes from the January meeting were approved w/1 correction (attendance) noted.

PHAB Vacancies and Appointments

PHAB has 2 Vacancies – two applications are pending.

Public Health Division

This has been a very active flu season. According to CDC reports, nationally, it is as severe as the 2009 H1N1 epidemic in 2013/14. In Sacramento, it was also active but about the same as last year. Southern California counties were hit hard, and some hospital opened alternate care sites to accommodate all the admissions. Management of cases has been more difficult because of shortages of Tamiflu. There are two strains circulating, predominantly flu A H3N2 and also flu B, so the vaccine is not as effective, but there is still value in getting vaccinated.

We are monitoring the federal budget. There was some concern that funding would be cut for the Nurse Family Partnership home visitation program for first time mothers.

Primary Health Services Division

Sherri Heller provided a brief update on the Healthy Partners Program (HP); see below.

Board Action Presentation and Report Back

The County Executive and Dr. Heller recommended to Board of Supervisors that they expand enrollment size of the HP program. HP provides mostly primary health care and some behavioral health services and specialty care as well. It is a limited health care coverage program for low income persons in the community who are not eligible for Medi-Cal by virtue of their undocumented status. This program is highly successful and as a result of this board action, will now serve 4000 as opposed to the previous 3000. People who turn 65 can remain covered whereas before they lost their eligibility at 65. New patients over 65 will not be permitted but those who turn 65 while already in the program can remain.

Organized Delivery System Waiver (ODS) aka: Drug Medi-Cal Waiver

Currently, Federal funding is not available for residential drug treatment. Under the Drug Medi-Cal Waiver, funding would be available for residential drug treatment, as well as for services that accompany drug and alcohol treatment, such as case management and after-care recovery services. There would be coverage for medication assisted treatment other than methadone. The likely cost in matching money or local funds will be in the neighborhood of \$7M and it is not clear the County has that money. There is sense that this is a huge effort to gear up if it's only going to last until 2020, and perhaps County should wait. It was suggested that PHAB put this issue back on radar when planning the agenda with the Alcohol and Drug Advisory Board, as it is expected to come up within the next two to three months. It was suggested to PHAB, in the interest of time, to hear from Uma Zykofsky, Deputy Director, Behavioral Health Services, as she can discuss what this waiver is about in detail.

Restructuring/Reorganization Plan

The Board of Supervisors adopted the County's reorganization plan of social services. Effective March 18, 2018, the Health and Human Services Department will be split into two departments. The Department of Health Services (HS) and the Department of Child Family and Adult Services (CFAS). CFAS will have the Public Administrator Conservator office, Adult Protective Services, In Home Support Services and Child Protective Services. The HS Department will have Primary Health Services, Behavioral Health Services, Public Health and Correctional Health; healthcare provided in County jail will be under the supervision of the Health Department, and no longer under the Sheriff's office.

PHAB Presentation

Zarah Cruz, Program Specialist, Office of Cannabis Policy & Enforcement, City of Sacramento
Cannabis and Public Health

The Office of Cannabis and Policy Enforcement in the City of Sacramento has been in existence for approximately nine months. The status of work in this office now, how they arrived at some of the current work in progress, and expectations as to where it will lead was discussed.

California is the first state to legalize marijuana; however 27 other states have since legalized marijuana.

Timeline, in November, 2010, the City of Sacramento adopted its first dispensary ordinance. The city issued permits for 30 dispensaries, 24 permitted for adult use. In November, 2011, council adopted the first set of regulations for medical dispensaries and allowed adult use items, and now have a supply chain cultivation down to retail. Sacramento County is

capped at 30 dispensaries. The 30 medical dispensaries bring an average of \$4.8 million per year. In April, 2016, a series of council items were past and a moratorium declared on cultivation, and a registry was created for cultivators. In November, 2016, the cultivation ordinance was adopted and in March, 2017, the cultivation regulations were adopted.

Coming Up

Business Type	Approx # of Applications (as of 1/31/18)
Cultivation	100
Manufacturing	12
Testing Lab	2
Distribution	4
Delivery (Non-storefront Dispensaries)	

Transition to Regulated Commercial Cannabis Market (State Emergency Regulations §5209)

- Transition Period (1/1/18 – 6/30/18)
- Licensees shall not transport or sell any edible cannabis product that exceeds 10 mg of THC
- Cannabis goods held in inventory by a retailer, at the time of licensure, that is not in child-resistant packaging, may be sold if they are placed into child-resistant packaging, by the retailer, at the time of sale

Packaging

Packaging is child resistant for existing inventory, tamper-free; it cannot be easily opened by a child. Anything purchased from dispensaries has to be in this packaging, but if it's in store, they must put it in child resistance packaging.

Labeling requirements for existing inventory

- 1st Label – live plants (detailed on package)
- 2nd Label – flowers (detailed on package)
- 3rd Label – edibles (detailed on package)

Regulations to Protect Public Health

- Age Verification – (BCC Emergency Regulations, Ch.3, §5404)

“A retailer shall only sell adult-use cannabis goods to individuals who are at least 21 years of age, and medicinal cannabis goods to individuals at least 18 years of age, who possess a valid physician’s recommendation for his or her self, or a person for whom he or she is a primary caregiver.”

Dispensaries must have ID scanner to verify clients are over 21.

Exit Packaging (*BCC Emergency Regulations, Ch.3, §5413*)

- “Cannabis goods purchased by a customer shall not leave the retailer’s premises unless the goods are placed in an opaque packaging.”
- Licensees shall not transport or sell any edible cannabis product that exceeds 10 mg of THC

Please see handouts or <http://knowthelawsacramento.org/> for more detailed information on *Regulations to Protect Public Health*

Inventory Track and Trace Reporting

Oversight testing is State mandated; equipment used, actual testing, how samples are picked up/transported, all fall under the State. The city does not have a health department or testing experts, city only issues the permits.

Upcoming Policies:

Daily Limits on concentrates
Restriction on sale of butane

The City of Sacramento is the only city in the region that is regulating Cannabis. The City of Davis, to some degree, has some legalized operations; Elk Grove may be working on an ordinance. There are dispensaries in Vallejo but we do not have information on growing or distribution of that supply chain.

8 grams is what you can possess, and you can only smoke it in your home, not in public.

A landlord can prohibit cannabis plants or smoking inside a rental unit, but it has to be written into the lease. It cannot be imposed on a whim.

If you are a patient, in some cases, your possession can be higher but that is reviewed on a case by case basis. There is language in the regulations to address this. Prior to recreational use, there were already restrictions as to where medicinal cannabis could be smoked.

The law says if 'drive high, get a DUI.' Driving under the influence is not just for alcohol anymore. There are tests that can detect cannabis in system. Cannabis stays in system for 30 days so one who has smoked within that time frame will have a positive test result. As far as active cannabis, saliva tests are being developed to detect active cannabis. If arrested for impaired driving, blood test will be performed. There is no quick and easy test as of now.

Dispensaries & Buffer Zones for Schools

The Know The Law campaign is a month old. It is very early in the campaign but the goal is to partner with schools, learn from them, and other trusted adults regarding getting involved with cannabis being traded on school campuses. For dispensaries, there is a zone which is 600 feet from schools as well as the public parks. If the dispensary is closer to the park than 600 feet, the application must go to the planning commission.

Cannabis & Tax Revenue

BOT - 4% tax goes to the city's General Fund.

The Neighborhood Responsibility Plan is another fund and when an application for a cannabis business is processed, the applicant must sign an agreement to either pay 1% of gross receipts into a mitigation fund or wait for results of a study that is currently underway. Depending on what the percentage is, that amount must be paid. Or, if the study shows there are other things that need to be mitigated, the applicant can make payment toward that. Results of study should be back in the second quarter.

Health Effects

Health effects of cannabis are still being studied, and much is being learned from experiences from other states. CDPH states PH is still developing educational material. Restrictions are in place because the scientific evidence is still in progress. It's not good for children due to their developing brains. Also, it is not good for pregnant women because of the fetus; the effect on health is focused on those two groups now, but because science is still being developed there are still some unknowns, and funds are non-allocated to it.

Board of Supervisors Position

The Board has taken a 'wait and see' position for now. There was no indication what the regulations would look like prior to coming out. It took a while for BCC to develop the regulations and the Board wanted an opportunity to see the regulations and make a decision. As of now, there is no indication when it will be considered.

Note: Legalization of Cannabis is of great interest to PHAB. One member expressed interest in finding out if Sacramento County could have a financial forecasting to see if legalization, and extension within County limits can provide any financial relief that could be used for other programs that affect Public Health. Dr. Heller noted if that is something that emerges from this group, it should be from PHAB talking directly to Board of Supervisors, not County staff; perhaps address with Chiefs of Staff.

Announcements

Top 5 Topics for 2018

Dr. Orkand provided a preferred Research Topics List for PHAB for 2018. Topics were submitted to the group online with a request to rate the top three choices. Dr. Orkand used a points system (5 points for 1st, 3 points for 2nd and 1 point for 3rd) and listed/assigned by top choices. Not all of these items will become action items for PHAB but some will.

Marijuana legalization
Health Services for Homeless
Opioid Epidemic
Lead Issues in Sacramento County
Gun Violence

Strategies are currently being developed for opioid use. PHAB will probably be asked to provide support and guidance in the development of an ordinance that will promote the "take back" of used sharps and unused medications.

Dr. Heller noted one possible solution would be to move the opioid issue to the action items list (as actions are needed this year), as opposed to a research item. There will be decision points this year, at Budget time, the support for the drug take back and sharps take back ordinance, and the County's decision to opt into the drug Medical waiver, those will be action items in the very near short term.

Dr. Orkand motioned to adopt this as the PHAB interest list for 2018, motion passed w/o opposition or abstention.

Adjourn

The meeting was adjourned at 1:30 PM.

Submitted by Theresa Vinson, Scribe and Dr. Steven Orkand, Chair

Next Meeting of PHAB:

March 7, 2018, 12:00 PM - 1:30 PM

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