



TRIHEALTH, INC.  
CORPORATE POLICY

<b>TITLE: Medical Cannabis</b>	
<b>SECTION: 02</b>	<b>POLICY NUMBER: 70.00</b>
<b>EFFECTIVE DATE: 03/2020</b>	<b>REVIEWED/REVISED DATE(S): 03/2020</b>
<b><u>AFFECTED AREAS</u></b>	
<p><i>All TriHealth Entities: Shall mean every TriHealth entity and facility, including Good Samaritan , Bethesda , and McCullough-Hyde Memorial Hospitals, TriHealth Surgery Center Anderson, and TriHealth Physician Partners (TPP) entities or facilities unless an entity or facility is specifically excluded.</i></p> <p>This policy acknowledges that other relevant and applicable policies and procedures exist that have been drafted, approved, and adopted by entities (and departments) within TriHealth and are specific to those departments or entities. Interpretation of these other policies must comply with the principles adopted by Corporate Policy #12_01.00, "Corporate Policies, Development &amp; Implementation".</p>	
<b>POLICY OWNER: Director of Risk Management</b>	
<b>APPROVED BY:</b> <b>Sr. VP, Corporate Counsel</b> <b>Sr. VP, Chief Medical Officer</b> <b>Sr. VP, Chief Nursing Executive</b> <b>President, TPP</b> <b>Hospice of Cincinnati Medical Director</b> <b>Corporate Policy &amp; Procedure Committee</b> <b>President &amp; CEO</b>	

**PURPOSE**

The primary goal of the Medical Cannabis policy is to assure compliance with applicable laws, regulations, and policies promulgated by TriHealth leadership related to Medical Cannabis in all TriHealth settings, including McCullough-Hyde Memorial Hospital.

**BACKGROUND**

- TJC Std: MS.01.01.01
- ACHC: Chapter 25
- Regulatory Agencies:
- Licensure:
- Other: OAC 4731-32, ORC 3796.01, ORC 4731.30

**DEFINITIONS**

**“Approved Medical Cannabis”** means, in a Hospice of Cincinnati facility only, any form of Medical Cannabis that is ingested orally, including oils, tinctures, capsules, and edibles; “Approved Medical Cannabis” also means patches for transdermal administration. “Approved Medical Cannabis” does not include metered oil or solid preparations for vaporization, lotions, creams or ointments for topical administration, nor plant material for vaporization. “Approved Medical Cannabis” does not include any form of Medical Cannabis that requires the assistance or involvement of Hospice of Cincinnati personnel or team members for administration or ingestion.

**“Certificate to Recommend” (CTR)** means the certificate issued by the State Medical Board of Ohio authorizing a Physician to recommend treatment for Registered Patients with Medical Cannabis.

**“Medical Cannabis”** means marijuana that is legally cultivated, processed, tested, dispensed, possessed, and used for a medical purpose. Medical Cannabis includes whole plant extracts and resins, and is in the form of liquid, including but not limited to oils; pills, vaporized delivery with use of liquid or oil, but which does not require the use of dried leaves or plant form; and any other method approved by Ohio law. Ohio law excludes any form of marijuana that is smoked from the definition of Medical Cannabis. The FDA approved Epidiolex as a legal medication. Therefore, Epidiolex is not subject to the restrictions/edicts of this policy and is specifically excluded from the definition of “Medical Cannabis.”

**“Qualifying Medical Condition” (QMC)** means any of the following:

- (a) Acquired immune deficiency syndrome;
- (b) Alzheimer's disease;
- (c) Amyotrophic lateral sclerosis;
- (d) Cancer;
- (e) Chronic traumatic encephalopathy;
- (f) Crohn's disease;
- (g) Epilepsy or another seizure disorder;
- (h) Fibromyalgia;
- (i) Glaucoma;
- (j) Hepatitis C;
- (k) Inflammatory bowel disease;
- (l) Multiple sclerosis;
- (m) Pain that is either of the following:
  - i. Chronic and severe;
  - ii. Intractable.
- (n) Parkinson's disease;
- (o) Positive status for HIV;
- (p) Post-traumatic stress disorder;
- (q) Sickle cell anemia;
- (r) Spinal cord disease or injury;
- (s) Tourette's syndrome;
- (t) Traumatic brain injury;

- (u) Ulcerative colitis;
- (v) Any other medical condition that has been approved by the State Medical Board as a Qualifying Medical Condition.

**“Registered Patient”** means any Ohio resident who has been diagnosed with a QMC by a Physician and who has otherwise met all other requirements for Patients to participate in the registry program and rules of the Board of Pharmacy adopted under section 3796.06 of the Revised Code. Registered Patients must be able to present proof of their Registry with the Ohio Medical Marijuana Control Program, whether in electronic or hard copy format.

**“Registered Designated Caregiver”** means an individual registered with the State Board of Pharmacy to assist a Registered Patient in the use or administration of Medical Cannabis. Registered Designated Caregivers must be 21 years of age or older.

## **POLICY**

While Ohio law authorizes Registered Patients to use Medical Cannabis to treat Qualifying Medical Conditions (QMC), the Federal Controlled Substances Act categorizes marijuana as an illegal substance with no accepted medical use, subjecting individuals to penalties for possession, use and distribution. Given these contradictory laws, TriHealth physicians, team members and contractors must use caution when managing patients who desire to be treated with Medical Cannabis.

TriHealth maintains an alcohol and drug-free work environment. Therefore, TriHealth physicians, team members and contractors may not utilize Medical Cannabis at any time while in the workplace or while engaged in company business or on TriHealth property. It is also against TriHealth policy for any team member or contractor to report to work under the influence of Medical Cannabis. The use of Medical Cannabis is also prohibited during non-working time if it impairs the ability to perform on the job or threatens the reputation or integrity of TriHealth. For further information on TriHealth’s Drug and Alcohol Free Workplace, please refer to Policy 13\_ER07.00.

## **PROCEDURE**

### **1. Outpatient Written Recommendations for Medical Cannabis**

Medical Cannabis is not prescribed. Instead, TriHealth physicians who have a valid CTR may issue a “written recommendation” to Registered Patients to utilize Medical Cannabis for a QMC.

The decision to issue a written recommendation for Medical Cannabis as part of an outpatient treatment plan will be left to the clinical discretion of the TriHealth physician. A TriHealth physician should only recommend treatment with Medical Cannabis if s/he has a current CTR. Each physician who holds a CTR must comply with all State of Ohio regulations related to administrative and clinical requirements for the written

recommendation of Medical Cannabis. Therefore, it is strongly recommended that TriHealth physicians who issue a written recommendation for Medical Cannabis utilize the Medical Marijuana Note Template (21509) in Epic to assure all legal documentation requirements are met. All necessary documentation must also be placed in Ohio's Seed to Sale system.

A TriHealth physician may not possess, issue a written recommendation, or personally furnish Medical Cannabis for a family member or the TriHealth physician's own use.

If a TriHealth physician is treating a patient for medical conditions with standard medical treatment and the TriHealth Physician learns that the patient is receiving Medical Cannabis from another physician, the TriHealth physician should utilize his/her best clinical judgment as to whether to continue to treat the patient with standard medical treatment in conjunction with Medical Cannabis. On the other hand, the TriHealth physician may determine that the use of Medical Cannabis so changes the nature or safety of the TriHealth physician's own care of, or relationship with, the patient as to require a cessation or alteration of the treatment plan, the physician/patient relationship, or both.

## **2. Registered Patient, Designated Registered Caregiver and Visitor Use and Possession of Marijuana in all TriHealth Facilities *Except* Hospice Is Forbidden**

Marijuana of any kind (whether Medical Cannabis or not) may not be used, dispensed, administered or possessed in any TriHealth facility except Hospice of Cincinnati (see section 3 for specific details related to Hospice of Cincinnati, hereinafter "Hospice"). Only standard medical treatment will be administered or dispensed in non-Hospice TriHealth facilities.

If a TriHealth team member determines that a patient, Registered Patient, Designated Registered Caregiver, family member or visitor possesses marijuana of any kind at any TriHealth facility except Hospice, the team member will ask the person possessing the marijuana to remove it from TriHealth property immediately (either personally or with the assistance of a Registered Designated Caregiver). If the request to remove the marijuana is not or cannot be honored, team members will contact Corporate Security for assistance, which will treat the marijuana as contraband. At no time will any TriHealth facility, physician, team member or contractor store for safe keeping any person's marijuana, whether it is Medical Cannabis or not.

TriHealth will not issue any refunds or payments for replacement of Medical Cannabis that is confiscated as contraband.

## **3. Registered Patient and Designated Registered Caregiver Use and Possession of Approved Medical Cannabis in Hospice In-Patient Facilities**

Registered Patients who are admitted at an In-patient Hospice facility may continue to utilize Approved Medical Cannabis at the discretion of the attending Physician if they are: (1) registered with the Ohio Medical Marijuana Control Program; (2) provide proof of their registry – either in hard copy or electronically; (3) have a current Written Recommendation to treat a QMC with Medical Cannabis; and (4) have a supply of Approved Medical Cannabis. Hospice physicians who will allow Registered Patients to use Approved Medical Cannabis must place an order in the electronic medical record for continuation of a home medication/Approved Medical Cannabis, following the normal home medication process. Hospice physicians are not required to allow Registered Patients to continue to use Approved Medical Cannabis, but rather, this is up to their individual judgment as to the best way to care for the patient.

A TriHealth physician, team member or contractor must reasonably ensure that the Hospice In-Patient claiming to be a Registered Patient and claiming to have Approved Medical Cannabis has obtained it legally. Though there may be other methods of discerning legality, the preferred method is to access OARRS. (If the patient is a Registered Patient and obtained Medical Cannabis legally, it will be recorded in OARRS. Likewise, if there is no record in OARRS that the patient obtained Medical Cannabis, the marijuana should not be treated as Medical Cannabis or Approved Medical Cannabis because it cannot be deemed to have been legally obtained. In this scenario, please follow the policy for removal of marijuana from all TriHealth facilities in Section 2 above). Hospice physicians or their registered designee will access OARRS to determine if the patient is a Registered Patient and has Approved Medical Cannabis, and the information obtained from OARRS will be documented in the patient's medical record.

TriHealth physicians, team members and contractors will not handle, administer, or store for safe keeping Approved Medical Cannabis, even in Hospice facilities. Registered Hospice In-Patients or their Registered Designated Caregivers will advise Hospice care providers of each administration of Approved Medical Cannabis so that it can be accurately documented in the Registered Patient's electronic medical record. If Hospice determines that a Registered Patient or a Registered Designated Caregiver is not accurately reporting to Hospice the administration of Approved Medical Cannabis, or is administering the Approved Medical Cannabis in a manner that is inconsistent with the Written Recommendation, it is up to the attending physician's discretion whether to discontinue permission for the use of Approved Medical Cannabis for that Registered Patient. Any change must be reflected as an order change regarding home medications in the electronic medical record.

It is a Registered Patient's and/or a Registered Designated Caregiver's sole responsibility to safely store Approved Medical Cannabis for all Hospice In-Patients. TriHealth will not assume any responsibility for the loss or theft of Approved Medical Cannabis from Hospice.

Hospice team members will teach Registered Patients and Registered Designated Caregivers what constitutes Approved Medical Cannabis. Hospice team members will

teach Registered Patients and Registered Designated Caregivers that Hospice will not store, administer or handle any Medical Cannabis for patients or care givers. Hospice team members will teach Registered Patients and Registered Designated Caregivers that they should advise their Hospice care givers each time a Registered Patient is administered Approved Medical Cannabis, so that it can be documented in the medical record. Hospice team members will advise Registered Patients and Registered Designated Caregivers that failing to advise Hospice of the administration of Approved Medical Cannabis may result in the physician's decision to discontinue the order to allow administration of Approved Medical Cannabis.

**OTHER AREAS/POLICIES OR PROCEDURES OF REFERENCE**