

Physicians for Health Communities Fact Sheet about H.612

18-year old Vermonters can get a medical marijuana card without their parents' knowledge and can then legally purchase dangerous high-THC concentrates under current law. 7 Vermont Statutes Annotated § 953(b) (“An application by a person under 18 years of age shall be signed by both the applicant and the applicant’s parent or guardian”). The Chair of the Vermont Cannabis Control Board, consistent with the peer-reviewed medical literature, has testified that high potency cannabis products are dangerous.

The only "medical" evaluation they must obtain can be over the internet from a doctor in another state who gets paid for each approval. Under Cannabis Control Board Rule 3.2.3 and 7 VSA § 951, the only requirement for the “medical” evaluation is that the health care provider be licensed in Vermont, NY, Massachusetts or New Hampshire. The statutes and the rules do not require an in-person meeting, nor even that the provider examine the applicant’s medical records or consult with the applicant’s mental health care provider or primary care provider. It is quick and easy for anyone to go on-line and find, for a fee paid by credit card, an out-of-state physician to fill out the minimal paperwork.

Under Vermont law teens and older users with these cards can make an unlimited number of purchases of these dangerous drugs, each day. Cannabis Control Board Rule 3.5.5 provides the only sales limits. It states that “In a single transaction,” a cannabis seller cannot sell more than the potency or quantities set by law. Neither the Board’s rules nor Vermont statutes limit the number of transactions per day, or restrict a purchaser from buying from multiple dispensaries. 7 VSA §§ 952, 971.

H.612, if passed, will enlarge these sales from the existing half-dozen dispensaries to the seventy-five recreational cannabis retail stores spread across Vermont. The Cannabis Control Board currently lists six dispensaries.¹ If this bill is passed, all 75 retail stores², by making some changes in their operations and paying a small fee, will be able to become sellers to “medical” card holders.

Colorado already tried this, with disastrous results, and Colorado now requires physician meetings with all med card applicants, requires two physicians for each applicant under 21, and established a statewide registry so that patients can only purchase the amounts their doctor has authorized. <https://leg.colorado.gov/bills/hb21-1317>. Unless H.612 is amended to include Colorado’s current protections, the bill should be rejected.

¹ <https://ccb.vermont.gov/med-dispensaries>.

² https://ccb.vermont.gov/sites/ccb/files/2024-03/Board.Meeting.February.2024_upd.pdf