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Dear Provider,

The purpose of this communication is to share important clinical information and update you about key changes in cannabis policies due to the passage of the Marijuana Regulation and Taxation Act (MRTA), which included the creation of a new law, known as the Cannabis Law. The Cannabis Law established a regulatory framework for cannabis in New York grounded in the principles of public health, social equity, and economic justice. The Cannabis Law established the Office of Cannabis Management (OCM) and a five-member Cannabis Control Board (Board) ultimately responsible for licensing businesses to grow and sell cannabis and cannabinoid hemp in New York State. As a part of the implementation of the Cannabis Law in New York State, the OCM and the Board will also be providing laboratory testing, packaging, and labeling requirements to keep consumers safe.

KEY POLICY & REGULATORY UPDATES:

OCM, together with the Board, will comprehensively regulate adult-use cannabis, medical cannabis, and cannabinoid hemp. Following the guidance of the Cannabis Law, we have already taken significant steps to expand the existing Medical Cannabis Program including:

- Expanding the types of providers who can certify patients for the medical use of cannabis to include anyone who is licensed, registered, or certified by New York State to prescribe controlled substances to humans within the State. For more information on how to become a certifying provider visit <https://cannabis.ny.gov/practitioners>.
- Adding eligible conditions for treatment. A provider may now certify patients for medical cannabis for any condition at their clinical discretion.
- Allowing certified medical patients and designated caregivers to cultivate medical cannabis at home, once regulations have been formally adopted.

For additional key information, please visit: [“What You Need to Know” Fact Sheet](#)

CONSUMER SAFETY CONCERNS:

With the passage and implementation of the Cannabis Law, you may see changing behaviors or receive questions from your patients about cannabis use. Below is some key health related information to know and/or share with patients and caregivers:

- New York continues to see calls to Poison Control about accidental ingestion of unregulated cannabis edibles mistaken for snacks or candy. Cannabis products, especially edibles, should be stored locked- up, out of reach, and out of sight of children and pets.
- Currently, there is no regulated legal marketplace for adult-use cannabis products.
 - Some people may be accessing cannabis products from the illicit marketplace where there is no testing or regulatory oversight. These products may contain unsafe ingredients, contaminants, and byproducts, and may be available in potencies and quantities that can result in accidental overconsumption.

- New and unregulated cannabis products that are different than CBD are also being illegally sold both in retail stores such as smoke shops and online. These include Delta-8 THC, hexahydrocannabinol (HHC), and THC-O-Acetate which can be derived from hemp. Little is known about the safety profile of these novel cannabinoids, and they can pose consumer safety risks. The U.S. Food and Drug Administration released a consumer update cautioning that Delta-8 THC has serious health risks and the OCM does not currently allow the sale of these products. For more information about Delta-8 THC, please visit: [FDA Delta-8 THC Information](#).
- Synthetic cannabinoids, often called K2 and Spice are also available in some retail stores. They contain some plant material treated with synthetic cannabinoids and are unregulated and illegal. Their effects are highly variable and have been associated with dangerous side effects.
- New York continues to see a number of ongoing e-cigarette, or vaping product use-associated lung injury (EVALI) cases. One cause of EVALI is the use of [vitamin E acetate](#), an additive in some THC-containing e-cigarette or vaping products, but there may be other causes. EVALI symptoms can be confused with symptoms of COVID-19. For more information about EVALI, including ICD-10-CM and patient management guidance, please visit: [CDC EVALI Guidance](#). Prompt reporting of cases to Poison Control remains essential.

If you have a patient who has accidentally ingested or has an adverse reaction (including EVALI) that may be due to a novel cannabinoid, a hemp-based product, or any other cannabis product, please call **Poison Control at 1-800-222-1222** and/or connect the patient with the nearest Emergency Department. Any adverse events for patients in the Medical Cannabis Program should be reported to the Person-Based Electronic Response Data System (PERDS) which can be accessed via the Health Commerce System.

Please be assured that the OCM is building a regulated cannabis program that has public health and consumer safety at its core. For more information about key provisions from the MRTA that are intended to protect the public health and safety of New Yorkers, please visit: [The Office of Cannabis Management's Public Health and Safety Fact Sheet](#).

OCM will be launching a robust public education campaign in the coming months. Please be on the lookout for additional communications as OCM works to implement the new Cannabis Law. The best way to receive updates in real time is to sign up for OCM updates [here](#). For more information from OCM, please visit <https://cannabis.ny.gov/>. Questions can be sent to info@ocm.ny.gov.

Sincerely,



Chris Alexander
Executive Director
Office of Cannabis Management