



Wayne A. Smith
President & CEO

March 8, 2019

Delaware Department of Health and Social Services
Division of Public Health
Attn: Alanna Mozeik
417 Federal Street
Dover, DE 19901
Submitted Via Email: Alanna.Mozeik@state.de.us

*Alfred I. duPont Hospital
for Children*
Roy Proujansky, MD,
Chief Executive of
Nemours Delaware
Valley Operations

Bayhealth
Terry Murphy,
President & CEO

Beebe Healthcare
Jeffrey M. Fried
President & CEO

*Christiana Care Health
System*
Janice E. Nevin, M.D.
MPH
President & CEO

Nanticoke Health Services
Steven A. Rose, RN, MN
President & CEO

Saint Francis Healthcare
Daniel Sinnott
President & CEO

*Delaware Healthcare
Association*
Wayne A. Smith
President & CEO

Re: 4470 State of Delaware Medical Marijuana Code – Proposed Revisions

Dear Ms. Mozeik:

Thank you for the opportunity to comment on the proposed revisions to the regulations governing the State of Delaware Medical Marijuana Code. The Delaware Healthcare Association (DHA), representing hospitals and health care delivery systems in Delaware, is concerned the proposed revisions may have a negative impact on the health of some in our state.

DHA's mission is to provide policy and advocacy leadership in creating an excellent environment for enabling every Delawarean to be as healthy as they can be. Although medical marijuana is a tool that seeks to help patients with serious health conditions, DHA is concerned that an expansion of the medical marijuana program, particularly for edible products, may contribute to more accidental ingestions and increase the risks associated with ingesting more than the appropriate or prescribed amounts. Hospitals are on the front line when responding to and treating patients in these acute situations, which is why it is imperative for DHA to recommend against policies that could lead to more emergencies.

While DHA appreciates that the Delaware Department of Health and Social Services proposes to adopt regulations on edible marijuana products to ensure the products are manufactured and tested in a manner that protects public health, we have concerns there may be unintended consequences associated with the use of these edible products. In particular, DHA has concerns that an increase in the availability of edible marijuana products may also increase the accidental ingestion and potential overdose by children. Often, edible marijuana is produced in the form of cookies, brownies, gummies and other treats that children are naturally drawn to eating. Studies have shown that there has been an uptick in recent years in accidental ingestion of marijuana cases, possibly coinciding with more states legalizing recreational or medical cannabis use.

We echo the comments made by the Nemours Children's Health System in recommending

that edibles be limited to forms that are less likely to cause accidental ingestion by children. Instead of sweet treats, edibles should be limited to medically appropriate forms including capsules, pills, chewables, lozenges, or liquids. This approach would also allow for more precise measurement and dosage and limit the likelihood of accidental ingestion or ingesting higher amounts than intended. Limiting edibles to these more medically appropriate forms would also be consistent with the policies of neighboring states.

DHA agrees with the recommendations of Nemours that packaging and labeling should be strengthened to further discourage the potential for accidental ingestion. Including best practices, such as opaque packaging, child proofing, and visible warning language in the packaging of medical marijuana products is imperative to securing the health of those sharing a household with someone that is prescribed medical marijuana products.

We appreciate the opportunity to comment and welcome further discussion on this issue.

Sincerely,

A handwritten signature in black ink that reads "Wayne A. Smith". The signature is written in a cursive style with a large, prominent "S" at the end.

Wayne A. Smith
President & CEO