



MONTANA STATE HOSPITAL POLICY AND PROCEDURE

MEDICAL MARIJUANA POSSESSION

Effective Date: December 9, 2015

Policy #: PH - 13

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- I. PURPOSE:** To describe procedures for handling medical marijuana in the possession of patients at the time of admission.
- II. POLICY:** Montana State Hospital (MSH) recognizes that Montana Law permits certain individuals to legally possess and use small amounts of marijuana to help manage symptoms of debilitating medical conditions. MSH provides co-occurring treatment for psychiatric illnesses and substance abuse. Effective treatment for these conditions normally requires the individual to abstain from using commonly abused substances including alcohol, marijuana, illicit drugs, and some prescription drugs.

Marijuana use or possession is not permitted for persons served at MSH, including persons with a legally issued Montana marijuana registry identification card. Marijuana use is contraindicated for patients with serious mental illness. Therefore, marijuana use may not be ordered or authorized by any prescriber on the Hospital's staff. The hospital will not store marijuana on its premises for any reason other than pending removal by the Anaconda Police.

When a patient possesses marijuana upon arrival at the hospital, MSH will require the patient to remove the marijuana from the MSH campus before the patient is admitted, if the patient is able to do so safely. If the patient is not able to remove the marijuana safely but provides the hospital staff contact information for their power of attorney or court appointed guardian and we judge that they could safely and readily remove the marijuana, the hospital staff will make a good faith effort to contact them prior to admission. If the patient is unable to arrange for safe removal of the medical marijuana before admission, or the hospital is not able to reach the patient provided contact or the contact is unable to readily and safely remove the medical marijuana, the hospital will contact the Anaconda Police Department to remove and destroy the marijuana. If a patient possesses marijuana at any time after admission, MSH will immediately contact the Anaconda Police Department to remove and destroy the marijuana.

- III. DEFINITIONS:** None
- IV. RESPONSIBILITIES:**

- A. The Director of Nursing or designated Nurse Manager will maintain the key to the lock box which is located in the safe area (C220).

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- B. The Nurse Manager or Security will notify the Anaconda Police Department as needed.

V. PROCEDURE:

- A. At the time of admission, hospital staff completes an inventory of all belongings in the possession of persons admitted for services. If a patient is found to be in possession of marijuana and is a legitimate medical marijuana card holder, admission staff will assess whether the patient can safely remove the marijuana from the hospital campus before admission to the custody of a power of attorney or court appointed guardian. If the patient cannot safely remove the medical marijuana but provides the hospital with contact information for a power of attorney or court appointed guardian who are readily available and who can safely remove the medical marijuana, hospital staff will make a good faith effort to contact them on the patient's behalf to seek immediate and safe removal.
- B. If the patient is unable to have the medical marijuana safely removed before admission, and admission staff are unable to reach a patient-provided power of attorney or court appointed guardian who can immediately and safely remove the medical marijuana before the patient is admitted, admission staff will temporarily place the medical marijuana in the designated lock box located in the hospital safe (C220). The Director of Nursing or designated Nurse Manager is solely responsible for maintaining the key to the lock box in the nurse supervisor's office.
- C. The Nurse Manager or Security will immediately notify the Anaconda Police Department of the presence of marijuana and arrange for the Anaconda Police to remove it. Hospital staff will not disclose the name of the patient to the law enforcement agency removing the marijuana.
- D. The Hospital will not store paraphernalia commonly used to smoke marijuana such as pipes, bongs, etc. Paraphernalia will be turned over to the Anaconda Police Department.
- E. The Hospital Administrator and Director of Nursing will be informed anytime a patient is in possession of marijuana. The marijuana will be placed in the designated lock box until the Anaconda Police arrive to remove it.
- F. MSH will keep the community informed of our inability to store marijuana on the premises, including marijuana for a registered card holder. We will encourage community providers, professional persons and anyone referring patients to avoid sending marijuana with patients to MSH through information provided in our admission packet, meetings with ADRT, and by way of direct communication from the MSH Admission Coordinator to community partners.

VI. REFERENCES: Montana Medical Marijuana Act – Title 50, Chapter 46, Part 3, M.C.A.

VII. COLLABORATED WITH: Hospital Administrator, Medical Director, Director Of Nursing, DPHHS Quality Assurance Division

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- VIII. RESCISSIONS:** #PH-13, *Medical Marijuana Possession* dated November 19, 2012; #PH-13, *Medical Marijuana Possession*, dated May 17, 2012; #PH-13, *Medical Marijuana Possession*, dated February 24, 2009; #PH-13, *Medical Marijuana Possession* dated August 3, 2007.
- IX. DISTRIBUTION:** All hospital policy manuals
- X. ANNUAL REVIEW AND AUTHORIZATION:** This policy is subject to annual review and authorization for use by either the Administrator or the Medical Director with written documentation of the review per ARM § 37-106-330.
- XI. FOLLOW-UP RESPONSIBILITY:** Director of Nursing
- XII. ATTACHMENTS:** None

_____/____/____
John W. Glueckert Date
Hospital Administrator

_____/____/____
Thomas Gray Date
Medical Director