

From: [Cannabis \(HC/SC\)](#)
To: [Cathy Heron](#)
Subject: Health Canada's response to your enquiry: 22-012608 - 738
Date: Tuesday, February 7, 2023 1:14:29 PM

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Dear Cathy Heron:

Thank you for your correspondence of October 31, 2022, regarding the concerns of Alberta Municipalities with the medical cannabis program. I have been asked to reply to you directly and I sincerely apologize for the delay in responding.

I understand that the resolutions you have provided reflect the concerns of municipalities across the country and I would like to take this opportunity to share the work that has been undertaken by Health Canada in order to address these problems.

Health Canada is committed to protecting patients' rights to reasonable access to cannabis for medical purposes and recognizes that most patients are using the medical access program for its intended purposes. Since the coming into force of the *Cannabis Act* and the *Cannabis Regulations*, however, Health Canada has seen a concerning trend with the size of certain personal and designated production sites and issues associated with them.

As in any regulatory framework, there will be instances where individuals choose to operate outside of the law, and abuse of the medical purposes framework undermines the integrity of the system that many patients and health care practitioners (HCP) rely on to access cannabis to address their medical needs.

In April 2022, in an effort to address the risk of abuse and preserve the program's integrity, Health Canada published [Guidance on Personal Production of Cannabis for Medical Purposes](#). The document outlines proposed factors Health Canada may consider when making a decision to refuse or revoke a registration for personal or designated production of cannabis for medical purposes on public health or public safety grounds, including the risk of cannabis being diverted to an illicit market or activity.

Health Canada continues to strengthen its oversight and reduce the risk of abuse of the cannabis for medical purposes registration program, using authorities under the *Cannabis Regulations*, by:

- conducting additional verifications when warranted (e.g., contacting the HCP to confirm the validity of the medical document and to confirm the daily dosage amount);
- refusing or revoking a registration, if it is determined that an applicant has

- submitted false or misleading information as part of their application, such as a forged medical document;
- proactively sharing information with provincial and territorial medical licensing bodies (e.g., College of Physicians & Surgeons of Alberta (CPSA) about the authorizing practices of HCPs in their jurisdiction, to inform any action they decide to take;
 - verifying that there are no more than four registrations at any given production site—the maximum allowed in the regulations—to reduce the risk of large-scale production sites; and,
 - conducting inspections of personal registration and designated production sites to further verify compliance with the regulations.

Additionally, there has been a steady increase in the number of registrations refused or revoked as Health Canada has strengthened its efforts to address misuse within the personal and designated production program, with the majority of refusals and revocations (732) occurring this past year (January 1, 2022 – September 30, 2022). The number of refusals and revocations for the two previous years was 227 in 2021 and 154 in 2020.

You mentioned the difficulties faced by municipalities with respect to limiting the production of cannabis for medical purposes. We understand that some communities have been successful in creating by-laws to limit the production of cannabis in residential areas and we plan to address this issue in upcoming outreach activities.

On February 15, 2023, Health Canada will be hosting a multi-sectoral session focused on the personal and designated production of cannabis for medical purposes. You would have received an invitation to this session alongside a representative from the Rural Municipalities of Alberta.

While Health Canada continues to examine the possibility of sharing information with provinces, territories and municipalities, under the *Cannabis Act* and its regulations, information regarding specific sites can only be shared with law enforcement in the course of an investigation

Lastly, as the oversight of cannabis production is a shared responsibility across federal, provincial and territorial governments, and municipalities, we encourage you to continue to work with your province on resources.

As you know, the legislative review, which will assess the progress made towards achieving the public health and safety objectives of the *Cannabis Act* is underway. The 60-day online engagement process of the review is now closed. There has been significant stakeholder interest in the access to cannabis for medical purposes framework and this legislative review presents an opportunity for Health Canada to analyze the views and perspectives of these stakeholders.

Thank you again for writing and sharing your concerns. We look forward to working with your organization and others in the coming months.

Sincerely,

David Pellmann
Acting Director General
Licensing and Medical Access
Controlled Substances and Cannabis Branch
Health Canada