

Big fee hike soon for medical pot ID cards

by Jaime San Felippo - Bay Area Reporter

The state Department of Health Services has announced that effective March 1, participants in California's medical marijuana ID card program will see a roughly 1,000 percent fee hike for their ID cards. Patients' annual fees to the state for the cards will go **from \$13 to \$142, in addition to the \$33 paid to the city.**

This is such a drastic increase in price that some are worried current and potential participants will be discouraged from taking part in the program.

According to Dale Gieringer of the California chapter of the National Organization for the Reform of Marijuana Laws, the fee increase is due to lack of participants in the program, which was launched in 2005. The extra fees will cover the state's cost of the program.

"Cal NORML is concerned that the rate increase will strongly discourage new enrollment," according to Gieringer. "The prospective applicant pool will double shortly, when Los Angeles County comes online. We hope the fee increase can be delayed so as to encourage an influx of new applicants to pay for the program."

Currently only 24 of the state's 58 counties have implemented ID programs. San Francisco County holds the most cards issued at 3,241, followed by Marin County with 1,121, and Mendocino County with 742. In San Francisco, the ID cards are obtained at San Francisco General Hospital.

The Department of Health Services says there are presently only **8,703 patients registered statewide but estimates the actual patient population ranges from 150,000 to 350,000.**

The fight to use marijuana for medicinal purposes has been a long and drawn out one.

In 1996, California voters approved Proposition 215, or the Compassionate Use Act. Proposition 215 reads that its purpose is "to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the persons health would benefit from the use of marijuana."

It also aims "to ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction."

But even with the law, the process was murky as to who could use the medical marijuana and how to get it. In an attempt to clarify the Compassionate Use Act, in 2003 the state legislature passed SB420, which established the state medical marijuana ID card

program.

The federal government, however, does not recognize the laws of California and 10 other states, maintaining that marijuana has no legitimate medicinal value and that its use is illegal under all circumstances. The U.S. Supreme Court ruled in June 2005 that the federal Controlled Substances Act trumps state medical marijuana laws, but did not declare such laws invalid.

California has gone ahead with the ID card program.

San Francisco District 5 Supervisor Ross Mirkarimi said the fee hike would have an adverse effect to the ID card program's original goal.

"This fee increase is completely defeating its purpose," said Mirkarimi, an advocate for medical marijuana. He said the city is looking into returning to the local, and less expensive, ID card system.

Kevin Reed, president and founder of the Green Cross, called the fee hike outrageous.

"This has gone far beyond preposterous," said Reed. "Where are the patients' rights? How can patients afford to keep fighting bad policy?"

The Green Cross is a unique online dispensary and delivery service. The decision to become an online delivery service came after the Green Cross outgrew its former location in the residential Fair Oaks neighborhood. Reed complied with the conditions imposed by the local Medical Cannabis Act and combed the city for a location within the narrow "green zones" – not within 1,000 feet of a school – but was unable to find a suitable site and moved his operation online.

Reed says the fee hike will be horrible for patients who are just getting by right now.

"Most patients just won't be able to afford it," Reed told the *Bay Area Reporter*.

There will be a patient protest regarding the fee increase on February 14 at noon at San Francisco General Hospital. The protest is being organized by Axis of Love San Francisco.

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