



**The Hon Roger Cook MLA
Deputy Premier
Minister for Health; Mental Health**



Our Ref: 60-08295

Ms Janine Freeman MLA
Chair
Education and Health Standing Committee
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Ms Freeman *Janine,*

Thank you for your letter dated 12 April 2018 regarding issues related to medicinal cannabis.

You have asked about correspondence from the Federal Minister for Health, The Hon Greg Hunt MP, concerning the challenges faced by patients accessing medicinal cannabis. The matters raised by Minister Hunt were discussed at the Council of Australian Governments Health Council meeting of 13 April 2018.

The Commonwealth has proposed to streamline access to medicinal cannabis by developing a single entry point that covers both the Commonwealth and State and Territory application and approval processes for unregistered medicinal cannabis products. This would avoid duplication while maintaining separate approvals by the States and Territories necessary to manage appropriate access to Schedule 8 products.

At the meeting, Health Ministers agreed, in principle, to support the Commonwealth to progress the development of a single, nationally consistent online application pathway to access unregistered medicinal cannabis products. The Western Australian Department of Health (DOH) is currently working with the Therapeutic Goods Administration on development of the portal.

You have also asked about my views on the merits of a Cannabis Medicines Advisory Service established by the New South Wales (NSW) Government, and whether such a service should be established for Western Australia (WA).

I am informed that the NSW service is provided out of the Hunter New England Health Service, focused on palliative care, and intended to provide quite specialised and directed clinical advice to doctors only.

In regard to any service in WA, to date, only a very limited number of applications to prescribe have been received by the DOH. In all cases, the patients are seriously ill, already receiving many medicines, and have very complex medical treatment needs. All patients have had medical specialists involved in their care.

I note that these products are still unregistered medicines, and that the published research regarding their efficacy and safety in medical use, in most conditions, has either not been conducted, is not conclusive, or is of variable quality.

In such circumstances, I do not necessarily believe it is appropriate, via an advice line, for the Government to endorse or promote usage among medical practitioners, particularly where this may have serious implications for treatments already in place. In general, it is probably still appropriate for specialists to be involved in care, and to consider the overall treatment of the specific condition in question. Decisions should be based on their own understanding and appreciation of the medical evidence, and individual expert professional judgement.

Should there be a specific need for this type of service, such as in a palliative care setting, then I would expect the request to come from the specialists operating in this area in WA.

Any guidance offered to medical practitioners would need to be independent, objective, evidence-based, medically competent, specialised and tailored to the individual medical circumstances of the patient. It is quite likely that this type of service could only be achieved in WA via a tertiary public hospital that has ready access to the required medical expertise and administrative capability to provide such a medical information service. This would require the agreement of a WA Health Service Provider to take responsibility for providing such a service and adequate funding to operate.

I understand that the TGA recently published a series of helpful and instructive national Guidelines, to assist medical practitioners with a summary and assessment of the literature that is available on this topic.

Finally, you have asked if WA has a scheme similar to the NSW Medicinal Cannabis Compassionate Use Scheme (MCCUS), and if not, whether such a scheme should be considered.

I understand that the MCCUS decriminalises possession of cannabis, below certain amounts, for persons medically certified as suffering a terminal illness and registered with the NSW Department of Justice. The scheme does not deal with cultivation or supply, and the cannabis is sourced from the same channels as recreational users and smoked.

I am advised that WA does not have a similar scheme. Possession of cannabis is dealt with under the Misuse of Drugs legislation. These laws are not administered by the DOH, but I am aware there are specific arrangements under these laws, other than prosecution, for dealing with possession of small quantities. The feasibility of a MCCUS scheme and necessary changes to Western Australian legislation may be matters best directed to the relevant agency.

I understand that the MCCUS was established in 2014, prior to the 2016 Commonwealth changes to establish a regulatory scheme to allow cultivation and manufacture of medicinal cannabis products. In 2016, corresponding changes were made to the classification of medicinal cannabis, so as to recognise products as prescription-only medicines in State and Territory legislation.

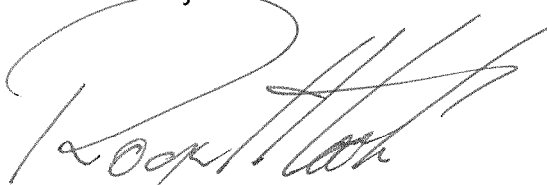
Under the existing legislation, medicinal cannabis products that can be prescribed are those in therapeutic formulations (solutions, tablets), are not smoked, and are subject to at least some quality standards to prevent harmful contamination. Their use is overseen by a medical practitioner and supply is via registered pharmacies.

It is my opinion that, as for any prescription medicine, the medical use of cannabis, including for persons with a terminal illness, should be under the supervision of a medical practitioner, obtained from a legal and reputable source, administered in a standard pharmaceutical form, and subject to minimum standards for quality and safety.

As there are now suitable lawful mechanisms for this to occur, I do not support a MCCUS type scheme.

I trust that this information is of assistance.

Yours sincerely



HON ROGER COOK MLA
DEPUTY PREMIER
MINISTER FOR HEALTH; MENTAL HEALTH

16 MAY 2018