



**Government of the Virgin Islands of the United States of America
Department of Licensing and Consumer Affairs
Office of Cannabis Regulations**

ocr.vi.gov

Golden Rock Shopping Center
3000 Golden Rock, Suite #9
St. Croix, VI 00820-4311
Telephone: (340) 713-3522
Facsimile: (340) 718-6982

Administrative Complex
"The Battery"
St. John, VI 00830
Telephone: (340) 693-8036
Facsimile: (340) 776-6989

Property & Procurement Building
8201 Sub Base, Suite #1
St. Thomas, VI 00802-5821
Telephone: (340) 714-3522
Facsimile: (340) 776-8303

Catherine Kean, M.D.
Chair, Cannabis Advisory Board

**Testimony before the
35th Legislature of the Virgin Islands
Committee on Economic Development & Agriculture**

Javan E. James, Sr., Committee Chair

General Updates

September 13, 2023

Good morning Committee Chair Javan E. James, Sr., Committee Members, Senators of the 35th Legislature of the United States Virgin Islands, and listening and viewing audience members. My name is Dr. Catherine Kean, and I am the Chair of the Cannabis Advisory Board, herein referred to as the “CAB.”

Since the passing of Act 8680 on January 18, 2023, the Cannabis Advisory Board has gotten to work first in understanding the language of the law that is provided, then in orchestrating the immediate goals necessitated by the change in the law. Act 8680, as you all know, substituted in its entirety the Medical Cannabis Patient Care Act of 2019. As such, we have had to think about how the new law has affected our work so far and how we will need to navigate this new field.

The CAB anticipates holding an official Board Meeting once we have received the Rules and Regulations and have ensured a quorum. The OCR has submitted an inquiry to the Department of Justice for a legal opinion on the status of the Board to ensure all members are properly seated due to the change in personnel and the law. We individually reviewed Act 8680 and submitted a list of Amendment Recommendations, which are attached to this testimony.

In the past year, since hiring Ms. Hannah Carty as the Executive Director, we have diligently managed our budget and limited expenses to ensure adequate funding for the rollout of the program. The \$1,000,000.00 for two years appropriated under Act 8680 goes much further in ensuring that the Office of Cannabis Regulations (“OCR”) will be adequately funded; however, with the expansion of responsibilities of the office, we are

still concerned with the total budget. I have asked Director Carty to go into further detail and testify about the plans and programming of the OCR.

I am available for questions or concerns that may come up today through Director Carty via email at info.ocr@ocr.vi.gov. Thank you for allowing us to update you on our status.

We appreciate your attention and concern for us here in the US Virgin Islands.

CAB Legislative Recommendations

After reading Act 8680, the CAB has developed the following legislative recommendations:

- 1. Medical Cannabis for those Under 21:** The American Academy of Pediatrics only supports medical cannabis for children with “life-limiting or severely debilitating conditions and for whom current therapies are inadequate.” As such, we believe it critical to protect those under 21 who may need to use cannabis; while ensuring the health and safety of our community. We request that those under 21 be required to get two recommendations; one from a general medical practitioner (such as a pediatrician) and one from the general list of practitioners. This recommendation ensures that a medical professional will be responsible for adequately protecting our children.
- 2. Protections for Behavioral Health Patients:** Act 8680 expands opportunity for all those interested in self-treating for Cannabis; however, we have not addressed in this legislation protective measures for those most susceptible; those with behavioral health concerns. Several studies have correlated cannabis use to “increased risk of psychiatric disorders”¹ and that “daily-use high-potency cannabis increased the change of developing psychosis by nearly five (5) times”² particularly among “adolescents”³ and those with “genetic vulnerability.”⁴ The CAB feels as though this is a concern that should be addressed either via Rule or Legislation.
- 3. Board Indemnification, Protected Action, & Communication:** According to current law, the Board does not explicitly have the protections other Boards have, such as the Board of Medical Examiners (outlined in 27 VIC 1 § 13). Such items should include immunity and indemnity.
- 4. Board Member Confirmation & Quorum:** Need to add language specifying that Board Members seated by the confirmation process “ex-officio” would not be required to return to the Senate for a second confirmation. It makes the Board more likely to lose their quorum in the interim.

¹ Freeman TP, Morgan CJA, Hindocha C, Schafer G, Das RK, Curran HV. Just say “know”: how do cannabinoid concentrations influence users’ estimates of cannabis potency and the amount they roll in joints? *Addict Abingdon Engl.* 2014;109(10):1686-1694. doi:10.1111/add.12634

² Di Forti M, Quattrone D, Freeman TP, et al. The contribution of cannabis use to variation in the incidence of psychotic disorder across Europe (EU-GEI): a multicentre case-control study. *The Lancet* 2019;6(5):427-436 doi. 10.1016/S2215-0366(19)30048-3

³ NIDA. 2021, April 13. Is there a link between marijuana use and psychiatric disorders?. Retrieved from <https://nida.nih.gov/publications/research-reports/marijuana/there-link-between-marijuana-use-psychiatric-disorders> on 2023, March 6

⁴ Ibid.