



NEW YORK STATE SENATOR

Joseph A. Griffo

## Griffo Joins Patients, Families As They Rally For Emergency Access To Medical Marijuana

JOSEPH A. GRIFFO June 9, 2015

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ALBANY – State Senator Joseph Griffo joined patients, family members and advocates as they stood with legislators from both sides of the aisle today in support of a bill that would direct the state to establish a program to help critically ill patients obtain emergency access to medical marijuana as soon as possible.

The bill, introduced by Assembly Health Committee Chair Richard N. Gottfried and Assembly Minority Leader Brian M. Kolb in the Assembly ([A7060](#)) and Senator Griffo in the Senate ([S5086](#)), comes nearly a year after the Legislature passed New York's medical marijuana bill and nearly 10 months after the Governor urged the Health Commissioner to do everything in his power to get medical marijuana to children suffering from life-threatening forms of epilepsy. To date, not one patient has received medical marijuana, and at least four children, who might have benefitted from medical marijuana, have died since the bill was passed.

Since July, advocates have been pressuring the Cuomo Administration to create an interim emergency access program for patients who may not survive the 18 months or longer that the Governor has said he needs to get the full medical marijuana program up and running. Applications for producers were just submitted last Friday, and the earliest the program

would be operational is January 2016. The Gottfried/Griffo bill offers critically ill patients a ray of hope in the face of inaction by the Cuomo Administration.

"Our daughter, Mackenzie, suffers from seizures all the time that cause serious injuries including bruises, chipped teeth and concussion. We are terrified that the next seizure could result in a fall that takes her life. Our entire family is constantly on guard. The healthcare, medications, and a severely restricted diet are not enough to control my daughter's seizures," **said Julie Kulaway, a nurse and mother of a child with epilepsy from New York Mills, New York.**

"We are grateful that Senator Griffo introduced the emergency medical marijuana access bill and hope that the rest of the Senate takes his lead to give our little girl a chance at a more normal life."

The Assembly was expected to pass the bill with bipartisan support today, and so patients and families now look to the Senate to take action.

**Senator Griffo**, R-Rome, sponsor of the bill in the Senate, noted: "We cannot continue to allow critically ill children like Mackenzie to suffer any longer if we have the ability to offer them relief from their life-threatening conditions. At least four children have died waiting for access to medical marijuana since the Legislature passed the Compassionate Care Act last year, so I believe we have an obligation to ensure that no other child's life is put at further risk by delaying treatment that could lessen their pain. I have sponsored legislation that would expedite access to medical marijuana for those patients in urgent need of relief in accordance with the law, and I strongly urge my colleagues in the Senate to join me in taking action on behalf of Mackenzie and other children who desperately need this treatment."

The original version of New York's medical marijuana bill included a provision to provide emergency access to medical marijuana for those patients too ill to wait for the full program to become operational. The Governor's Office had that provision removed during bill

negotiations last year, leaving critically ill patients vulnerable. Just days after the bill was signed into law, two children, who would have likely benefited from medical marijuana, died from their seizure disorders. Two additional children, whose families helped lobby for the bill, have since died – one from seizures and another brain cancer.

“The Governor announced in January 2014 that he was reactivating the 1980 Olivieri medical marijuana ‘research’ program, and 17 months later nothing has come of it,” said **Assembly Health Committee Chair Richard N. Gottfried**, sponsor of the bill. “There are New Yorkers suffering right now whose lives could be made better by access to medical marijuana. If the Department of Health does not believe it can have the 2014 Compassionate Care Act system fully up and running before 2016, the least it can do is offer emergency relief to the patients who need it most.”

“We have a responsibility to deliver immediate and necessary relief to patients suffering from unbearable pain and illness,” bill co-sponsor and **Assembly Minority Leader Brian Kolb** said. “Children and families deserve every effort to get life-saving remedies now, rather than wait for the wheels of government to turn. Implementing the state’s medical marijuana program is a complicated process that will take time. Patients in pain should not be forced to wait for help they can access today.”

In April, the Department of Health finalized extremely restrictive regulations for the medical marijuana program that could prevent patients from obtaining the treatment they need. Despite requests from hundreds of patients and families across the state requesting an emergency access program, the regulations contain no provisions for expediting access for those suffering from terminal or life-threatening illnesses.

Currently, those with terminal or critical illnesses and their families are forced to break the law, move to a state where medical marijuana is legally available, or watch their loved ones

suffer knowing that there is a medication that could help them.

“Families and patients in New York are tired of legalistic and bureaucratic excuses from the Cuomo Administration, especially given the tragic deaths of at least four young children. The failure of the Cuomo Administration to act in the face of this kind of heartbreak and suffering is unconscionable,” said **Julie Netherland, PhD, deputy state director at the Drug Policy Alliance**. “We are pleased to see the Assembly taking leadership on this issue and hope the Senate will act quickly before it’s too late. Many of these patients simply cannot wait any longer for relief.”

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