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January 14, 2011

Thomas R. Calcagni, Acting Director
Division of Consumer Affairs
Director's Office
P.O. Box 45027
Newark, New Jersey 07101

Re: PRN 2010-288, Compassionate Use Medical Marijuana Reporting Rules,
Proposed at 42 *N.J.R.* 2743 (November 15, 2010)

Dear Acting Director Calcagni:

The Medical Society of New Jersey (MSNJ) appreciates the opportunity to comment on the proposed regulations which establish reporting requirements to the Division of Consumer (the Division) affairs concerning the program for medicinal marijuana. MSNJ represents approximately 8,000 physicians in the state of New Jersey.

MSNJ supports the proposed regulations which require physicians to report weekly on the patients for whom written instructions have been issued for medicinal marijuana. MSNJ agrees that reporting is necessary to ensure that marijuana is used for medicinal purposes only, and not diverted to criminal use. MSNJ appreciates that physicians may seek a waiver of the electronic filing requirement since all practices may not currently be able to satisfy this requirement. We also appreciate that the Division may waive these reporting requirements if the Division is able to obtain the requested information electronically from the Department of Health & Senior Services (the Department).

Today, MSNJ filed comments in support of the Department's medicinal marijuana program rules (PRN 2010-293). Those rules contain a provision ensuring confidentiality of patient information and further ensure that the records are not considered public records. There is an exception for the Department and the Division. Additionally, records may be disclosed for law enforcement purposes. MSNJ suggests that these same rules of confidentiality should apply to the reports required by this proposed rule.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence Downs". The signature is fluid and cursive, with a large initial "L" and "D".

Lawrence Downs, Esq.
General Counsel
Medical Society of New Jersey