

Canada's Public Health Approach to the Legalization and Regulation of Cannabis

Fall Caucus 2018



YOUR HEALTH AND SAFETY... OUR PRIORITY.

Prevalence of Cannabis Use in Canada

Reported Illicit Cannabis Use Amongst First Nations Adults

Cannabis Use in the past year	RHS Phase 2	RHS Phase 3
First Nations Adults (aged 18+)	32.3%	30.3%
First Nations Youth (aged 12-17)	36.2%	27.2%

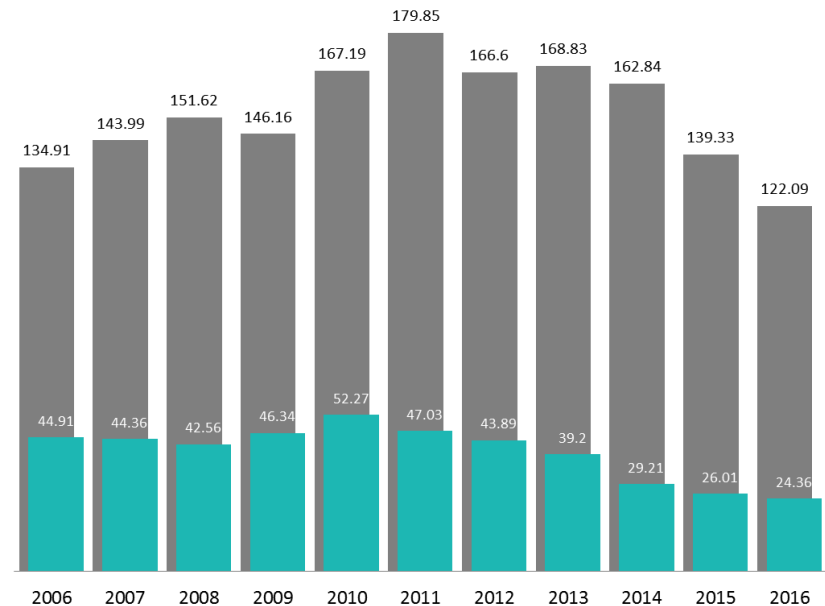
SOURCE: THE FIRST NATIONS REGIONAL HEALTH SURVEY PHASE 3 (2018): VOLUME 1 (for the 12 Months Prior to First Nations Regional Health Survey (Phase 2 and Phase 3))

... and the criminal justice system is burdened with cannabis possession offences.

Cannabis violations

Canadian rates per 100,000 people

- Cannabis possession
- Cannabis trafficking and production



SOURCE: STATISTICS CANADA

Why A Public Health Approach?

A public health approach shifts the focus from criminalization to the minimization of public health and safety harms through policy interventions that ...



Educate and raise awareness of health and safety risks



Prevent problematic use and promote healthy choices



Protect public health and safety by restricting access for youth and strictly controlling the cannabis supply chain



Monitor cannabis use patterns and industry compliance

The Cannabis Act: An Overview

Taking a public health approach, Bill C-45 creates a control framework for cannabis that ...

Restricts youth from accessing cannabis

- Youth under 18 years of age are prohibited from accessing cannabis
- Protects young people and others from advertising, promotional activities and enticements to use cannabis

Controls access for adults of legal age

- Limits adult possession to 30 grams of legal cannabis
- Limits home cultivation to 4 plants per residence

Provides oversight for the operation of the legal cannabis industry

- Permits, through federal licences, the production, cultivation and processing of cannabis
- Authorizes provinces and territories to distribute and sell cannabis, subject to federal conditions

Strictly regulates the supply chain

- Provides Canadians with access to a quality-controlled supply of cannabis
- Establishes strict product safety and quality requirements (e.g., plain packaging of cannabis products)
- Safeguards the integrity of the supply chain through the creation of a Cannabis Tracking System

Establishes strong penalties to protect public safety

- Creates new cannabis-related offences with serious penalties (i.e., selling cannabis to a youth)
- Deters illegal activities through sanctions and enforcement measures

What We've Heard

Throughout development of the new legal and regulatory framework, Indigenous groups have become increasingly interested in exploring and controlling the impact that cannabis legalization and regulation may have on communities, and participating in the cannabis industry.

Since 2017, Government officials attended and presented at over 70 meetings with Indigenous organizations and communities, and continue to increase engagement with Indigenous groups.

- The focus of these meetings has been to: share information and create an understanding of the Government's objectives, the proposed legislation and related plans; understand unique Indigenous perspectives; and seek input on effective engagement and public education.

Indigenous communities continue to raise concerns across a number of themes, including:

1. Public health and education supports;
2. Taxation and revenue generation;
3. Indigenous authorities to prohibit or increase control over activities related to cannabis; and,
4. Economic development opportunities.

1. Public Health and Education Supports

First Nations Regional Health Survey data confirms more than 1 in 10 adults (18 or older) use regularly (almost daily or daily), and one third of adults used cannabis in the past 12 months.

There is a recognized need to provide culturally appropriate public education and awareness, and through health and social programming (e.g., substance use prevention and treatment).

- ✓ Budget 2018 announced \$62.5M over 5 years to support community-based and Indigenous organizations to educate their communities on the risks associated with cannabis use. Through Health Canada's Substance Use and Addictions Program (SUAP), financial support is available to First Nations communities to strengthen responses to drug and substance use issues in Canada.
- ✓ Existing products on the health effects of cannabis use as well as information about the *Cannabis Act* have been translated into 12 Indigenous languages.
- ✓ Indigenous Services Canada funding for community-based mental wellness services and substance use prevention and treatment initiatives.

Government of Canada Funded Projects



Assembly of First Nations

The AFN Cannabis Task Force will help to support First Nations consideration, engagement, and dialogue with regard to introduction of cannabis legislation in Canada and the needs of First Nations.



Thunderbird Partnership Foundation

TPF is leading regional dialogue sessions across Canada to discuss evidence applied within an First Nations context and community needs, which will inform new public education tools and materials.

2. Taxation and Revenue Generation

First Nations have consistently called for access to taxation and other revenue with respect to the emerging legal cannabis industry, and some, an interest in imposing taxes and fees within their own territory to generate own-source-revenues to fund public health, safety and education initiatives.

While the *Cannabis Act* does not address matters of taxation, including taxation or tax authorities of First Nations governments:

- ✓ First Nations operating under the *Indian Act* and self-governing First Nations have access to revenue raising tools that can enable raising revenues related to legal cannabis activities through First Nations Goods and Services Tax agreements with the federal government. As well, First Nations operating under the *Indian Act* have the ability to levy property tax under the *Indian Act* or the *First Nations Fiscal Management Act*.
- ✓ Finance Canada is the lead on taxation matters, and has been engaging with all self-governing First Nations and First Nations operating under the *Indian Act* that are in treaty or self-government negotiations.
- ✓ Engagement has just begun with the Assembly of First Nations on the tax elements of the New Fiscal Relationship, and will include discussion of cannabis revenues. A technical working group with the Assembly of First Nations, including the First Nations Tax Commission, has recently been formed.

3. Authorities and Jurisdiction

First Nations authorities to define local rules and/or exercise varied levels of control over cannabis-related activities continue to be an important focus for many.

Now enacted into law, the *Cannabis Act* applies to all people in Canada, including First Nations, Inuit and Métis similar to the *Criminal Code*.

- ✓ Indigenous regulatory authority can derive from different sources, including federal legislation such as the *Indian Act*, self-government agreements and rights recognized and affirmed in Section 35 of the *Constitution Act, 1982*.
- ✓ Some First Nations are seeking greater clarity on the Government's position and legal framework while others have signalled their intent to develop or co-develop cannabis laws to restrict access within their territory.

The Government of Canada is committed to maintaining a dialogue and collaborating with interested First Nations in order to resolve matters of jurisdictions.

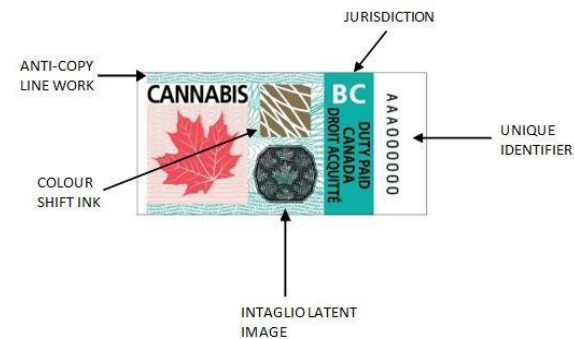
4. Economic Development

The emerging legal cannabis market is seen as an important new opportunity for economic development. The Government of Canada is continuing to explore ways to facilitate Indigenous participation in the cannabis industry for those communities wishing to do so.

Cultivation and Processing: Analysts are projecting significant growth in the Canadian cannabis cultivation and processing markets, building on the existing market for cannabis for medical purposes. Statistics Canada estimates the cannabis production industry is on par with the beer industry in terms of value added to the Canadian economy.

Retail: New opportunities will exist in the retail space in Provinces and Territories that will allow private retail.

Ancillary: A variety of ancillary services will be required to support the cannabis market, including but not limited to security, transportation, labelling, packaging and construction.



Federal Approach

The Government of Canada has taken steps to foster greater Indigenous participation in the legal cannabis market including:

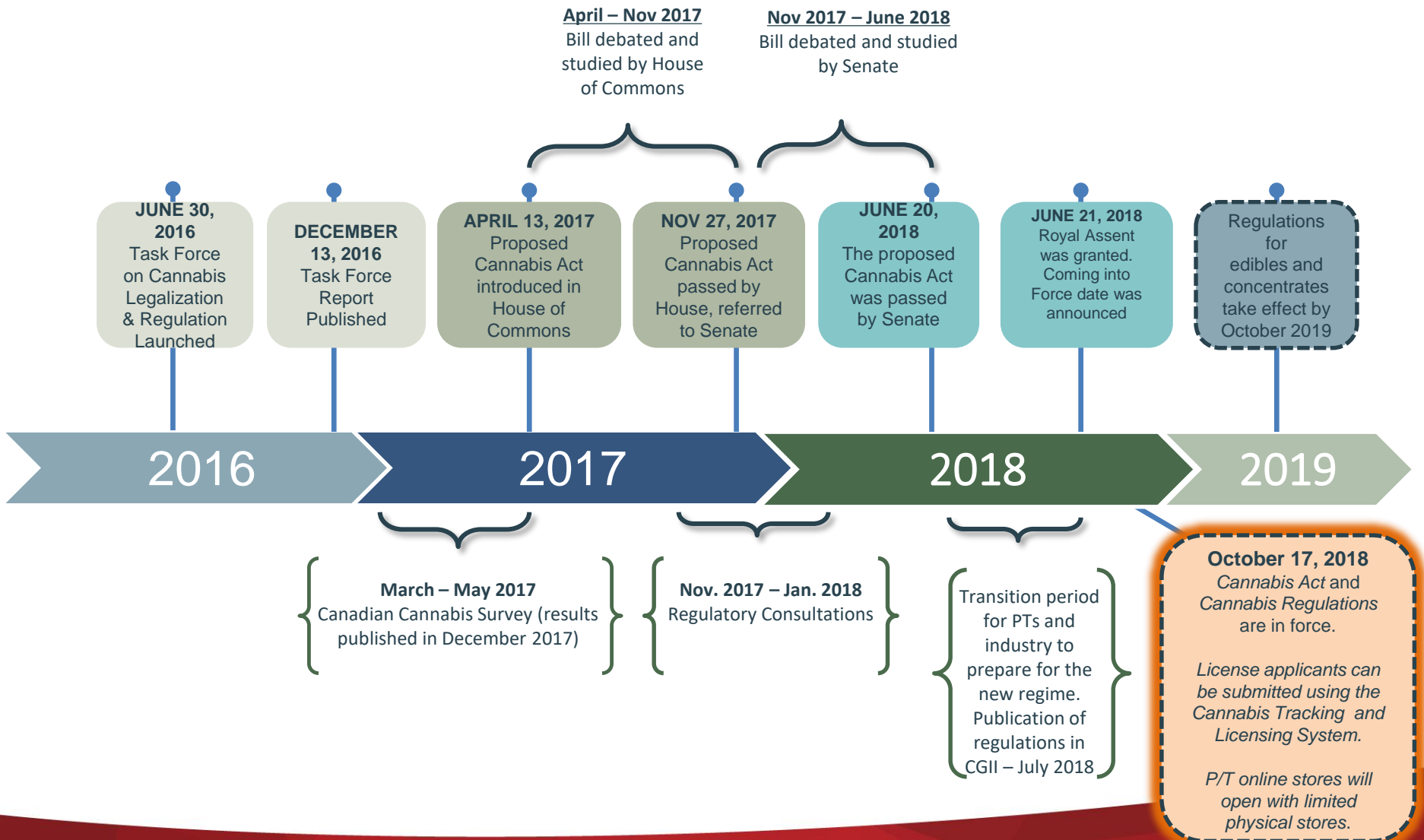
- ✓ Health Canada's **Navigator Service** helps to guide self-identified Indigenous applicants through the licensing process.
 - ✓ Upon application, those who wish to become licensed producers of legal cannabis are referred to a licensing professional dedicated to working with Indigenous applicants and with knowledge of Indigenous communities, circumstances and priorities.
 - ✓ The navigator can reach out to Indigenous applicants and respond to questions, set up a meetings and be a guide throughout the licensing process.
 - ✓ All of the same strict eligibility requirements and criteria that apply to all applicants would still need to be met.
- ✓ Indigenous Services Canada's **Community Opportunity Readiness Program (CORP)** can provide economic development funding support to First Nations and Inuit communities and their governments for cannabis-related business activities.

Economic Development

An Indigenous applicants' **navigator service** provided by Health Canada can be reached at navig@canada.ca

More information about the **Community Opportunity Readiness Program** can be found at: <https://www.aadnc-aandc.gc.ca/eng/1100100033414/1100100033415>

Timeline and Progress to Date



For more information

Visit : www.canada.ca/cannabis

Enquiries: cannabis@canada.ca

Substance Use and Addictions Program enquiries: SUAP-PUDS@hc-sc.gc.ca

CRA: www.canada.ca/cannabis-excise

Technical inquiries: cannabis@cra-arc.gc.ca or 1-866-330-3304



BRITISH COLUMBIA'S APPROACH TO CANNABIS LEGALIZATION AND REGULATION

**First Nations Health Authority
Regional Caucus Meetings
November and December 2018**

PROVINCIAL PRIORITIES



Prioritize public health and safety



Protect children and youth



Reduce crime and the illegal market



Address cannabis-affected driving



Support economic development

PROVINCIAL ENGAGEMENT

- **Sept. 25 – Nov. 1, 2017 Public and Stakeholder Engagement:**
 - 48,151 online responses
 - 800 random telephone surveys
 - Over 140 written submissions
 - 5 written submissions from Indigenous governments, 1 written submission from an Indigenous organization
- **February/March 2018 presentations at Chiefs assemblies hosted by B.C. Assembly of First Nations, Union of B.C. Indian Chiefs and First Nations Summit**
- **March 2018 regional teleconferences**
- **Ongoing individual meetings with Indigenous Nations and organizations**
- **First Nations Leadership Council Working Group**

PROVINCIAL LEGISLATION



Cannabis Control & Licensing Act

- Minimum age, limits on personal possession and cultivation, places of use, retail licensing regime, enforcement authority, offences and includes consequential amendments to various statutes



Cannabis Distribution Act

- Public wholesale distribution model
- Government-run retail sales in stores and online



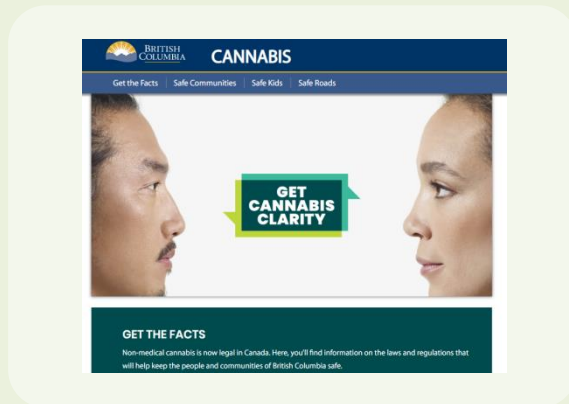
Amendments to Motor Vehicle Act

- Addresses drug-affected driving

PUBLIC EDUCATION AND AWARENESS

Province of B.C. launched public education and awareness campaign in September

- www.GetCannabisClarity.ca
- Builds on federal efforts and provides B.C. specific information
- Information brochure sent to all B.C. households



Secretariat working across government to support Ministry specific initiatives

LOOKING FORWARD



- Province is committed to monitoring implementation and making any necessary adjustments



- Ongoing policy work



- Individual meetings and community engagement sessions will continue to be prioritized

CONTACTS

Provincial Cannabis Secretariat: cannabis.secretariat@gov.bc.ca

Liquor Distribution Branch: cannabis@bcldb.com

Liquor and Cannabis Regulation Branch: cannabisregs@gov.bc.ca

Cannabis & Health

- Information Resources
 - Data, Monitoring & Evaluation
 - Professional Education
-

First Nations Health Authority Regional Caucus Meetings

Dr. Gerald Thomas & Dr. Brian Emerson

Ministry of Health

November & December 2018



HealthLinkBC

<https://www.healthlinkbc.ca/health-feature/cannabis>

Cannabis

- Learn how cannabis can impact the health of you and your family
 - Cannabis and Your Health
 - Medical Cannabis
- What is Cannabis?
- Safer and Responsible Use
- Talking About Substance Use with Your Family
- Laws and Regulations
- Useful Resources



Cannabis and health “guides”

- Developed by Canadian Institute for Substance Use Research (CISUR), formerly Centre for Addictions Research BC (CARBC)
- Move beyond social marketing on risk/harm and to encourage discussion and deeper understanding on cannabis
- Focus on five settings: Communities, Schools, Workplaces, Post-secondary & Retail



How settings-based guides will be different?

- In addition to discussing health risks, the guides will:
 - mention benefits
 - invite discussion and deeper consideration of causes and consequences of problematic cannabis use
 - ask the reader to think about opportunities associated with legalization
 - suggest that there are important individual and social responsibilities to consider during, and after, legalization
 - caution against common pitfalls and distractions



Data, Monitoring & Evaluation

- Participating in data, monitoring and evaluation planning
- Advised on BC Cannabis Survey development, and will advise on analysis and assist in interpretation
- Initiating work on hospitalization and emergency room presentation data



Professional Education

- Working with UBC Division of Continuing Professional Development. Potential audiences:
 - Physicians / Nurse Practitioners
 - Nurses
 - Counsellors / Therapists / Psychologists
 - Pharmacists
 - Midwives
 - Dentists
- Effects, Problematic Use, Medical Use



Questions/comments/suggestions for resources?

- Gerald Thomas:
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 - gerald.thomas@gov.bc.ca
- Brian Emerson
 - 250-952-1701
 - brian.emerson@gov.bc.ca





First Nations Health Authority
Health through wellness

Non-Medical Cannabis Legalization: FNHA Public Health Approach

Fall Caucus 2018



Feedback from BC First Nations

Five BC First Nations participated in the Fall 2017 provincial public engagement - (Gitanyow, Hagwilget, Lake Cowichan, Ucluelet and Kamloops Indian Band)

Common themes:

- Substance Abuse
- Medicinal Benefits
- Private and Public Safety
- Drug-impaired Driving
- Safe Access
- Self-Determination



First Nations Regional Health Survey: Phase 3 (2018)

% of FN adults who used cannabis during the past year (18+ years)

Cannabis:	Phase 2 (2008/10)	Phase 3 (2018)
no use in past year/"abstinent"	67.7	69.7
once or twice	11.1	11.2
monthly	3.2	2.4
weekly	5.6	4.6
daily	12.4	12.1

Of youth (12-17 years) surveyed: **72.8%** stated that they had not used cannabis at all ("abstained") in the past year.



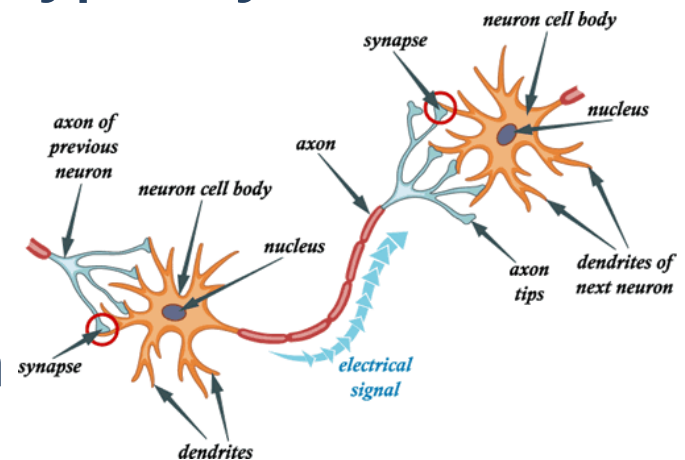
What do we need to be aware of from a health standpoint?

- Impaired driving/Motor vehicle accidents (MVAs)
 - Dependence/addiction
 - Mental health problems: e.g. psychosis
 - Education problems (long-term effects of use)
 - Lung problems, including lung cancer
 - Poor outcomes for babies related to use during pregnancy
 - Overdose and unintended exposure: children & Elders
- Increased risk for young people (<25 yrs), those with personal or family history of mental illness, adverse developmental experiences (e.g. trauma)



Implications for Mental Health and Wellness

- Youth and brain development:
 - The brain is considered to be more “vulnerable” to injury (of various kinds, including substance use) as it continues to grow and makes connections between brain areas up until the mid-20’s
 - Some mental health disorders typically first appear during the ages of 15-25 years
 - Regular use of cannabis while the brain is still developing can be associated with certain increased risks





Implications for Mental Health and Wellness

- Regular use in those less than 16 years show increased likelihood of developing health, educational & social problems
- Effect of cannabis use on cognitive abilities: attention span, memory and overall IQ
- Increased risk of psychosis, schizophrenia; especially if there is Hx of childhood trauma, Hx of 1st degree relative with a psychotic illness
 - Marconi et al. (2016) meta-analysis: n>66,000 found a dose-response relationship between level of use and risk for psychosis
 - Symptoms of schizophrenia may worsen with use
- anxiety, trauma (PTSD): symptoms may worsen with high THC content
- Depression: worsening of symptoms – eg. lack of motivation
- Relationship between chronic pain and mental health & wellness: role of depression



Cannabis Use during Pregnancy

- THC crosses the placenta & into the baby's bloodstream
- THC also found in breast milk
- Recommend avoiding cannabis use; especially during the first trimester
- Explore alternative treatments for morning sickness
- Risks to baby: pre-term labour/delivery, low birth weight – increased vulnerability to infections, difficulty feeding etc.
- Potential learning & behavior consequences for child that appear later: learning challenges, impulsivity, hyperactivity



@Jennifer Willard Photography



Upcoming Activities and Engagement

- Cannabis Public Education Campaign (late October)
 - MHW with a focus on youth; maternal health
 - Web content, digital ads, social media, radio, FAQ's
- Regional Caucus Engagement (November/December)
 - Expert panel/Q&A – FNHA, Health Canada, MoH, Secretariat
 - Information booth with resources
- Nursing Education Forum (November 21 & 28)
 - Panel participation and information booth
- Community Resource Guidebook (Winter 2018)
 - Issues/policies for community leadership consideration
- Responding to Community Requests
 - Putting in place processes respond to in-community requests



How We Are Talking About Cannabis

- FNHA embraces a harm reduction approach, and it is our role as a health partner to First Nations in BC that we respect each individual and community decision.
- First Nations communities, families and individuals in BC have clearly and consistently indicated that mental health and wellness is a top priority. Many factors influence mental health and wellness for both individuals and communities. Some of these factors are personal, and some of them relate to our circumstances and environment.
- We recognize that using cannabis as a treatment mechanism may make some people feel better, but it is important to understand that using non-medical cannabis – that is, cannabis that is not prescribed by a health care provider – may in fact cause harm, and at the same time, delay someone from seeking or receiving safer, more effective treatments.



How We Are Talking About Cannabis

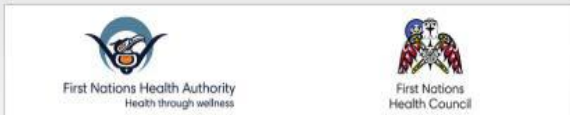
- Although there are claims that regular non-medical cannabis use can act as a medicine, there is no evidence that the benefits outweigh the risks in the case of youth. The medical community encourages our youth to consider delaying first use of cannabis as late as possible and to moderate their use.
- Doctors and other health professionals in Canada are recommending that women who use non-medical cannabis to stop using during pregnancy. If you can't or don't want to stop using entirely, then it is recommended to use as little as possible, and less often. Additionally, there are still risks (short- & long-term) associated with using medical cannabis while pregnant.
- At this time, FNHA does not cover medical cannabis as a benefit. FNHA has assembled an expert panel in this area and is reviewing our policy against emerging clinical research.



What has FNHA said?

- FNHA cannabis resource portal - www.fnha.ca/cannabis
- Promotion of Canada's Lower-Risk Cannabis Use Guidelines
- Blogs:
 - Smoking cannabis during pregnancy
 - Mental health risks to youth

May 4, 2018



A message from Grand Chief Doug Kelly, Chair, First Nations Health Council (FNHC) and Dr. Shannon McDonald, Acting Chief Medical Officer, First Nations Health Authority (FNHA)



Grand Chief Doug Kelly

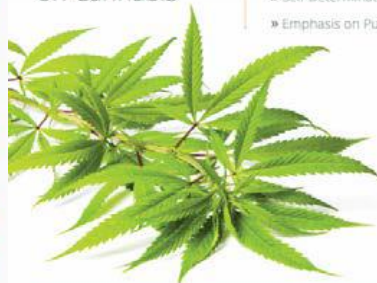


Dr. Shannon McDonald

Non-medical Cannabis Legalization: What We Have Heard So Far

Common themes from First Nations Communities - BC Public Engagement on Cannabis

- » Substance Abuse and Treatment
- » Medicinal Benefits
- » Keeping our Youth Safe
- » Secondhand Smoke
- » Safety for Individuals and Communities
- » Drug-impaired Driving
- » Safe Access to Legal Cannabis
- » Self-Determination
- » Emphasis on Public Education



We want to hear from you. What are your top health and community considerations?

Visit www.fnha.ca/cannabis for information or email info@fnha.ca with your questions.

Jun 20, 2018

Learn more to make the best choices for yourself and your family



Dr. Nel Wieman

The legalization of non-medical cannabis in Canada is happening October 17, 2018 and we at the FNHA want to provide you with as much information as possible so you can make the best and safest choices for yourself and your family members.

During a recent webinar about the legalization of non-medical cannabis, we heard that people want to know more about two important areas of concern related to cannabis use: 1) the risks to moms and babies through prenatal exposure and, 2) the risks to mental health, especially youth.

Let's talk about moms and babies first.



**MY
COURAGE**
IS INDIGENOUS.

Our teachings guide me to make the right choices for me when it comes to cannabis.

 FNHA.ca/cannabis #IndigenousStr



**MY
PATIENCE**
IS INDIGENOUS.


Our teachings guide me to reflect on the benefits of waiting until I'm older before trying cannabis.

FNHA.ca/cannabis #IndigenousStrengths



**MY
HEALTH**
IS INDIGENOUS.


Our teachings guide me to make choices around cannabis that are safer for my body and mind.

 FNHA.ca/cannabis #IndigenousStrengths



**MY
PROTECTION**
IS INDIGENOUS.

Our teachings guide me to understand the impact cannabis has on me and my baby when I'm pregnant or breastfeeding.

 FNHA.ca/cannabis #IndigenousStrengths



Health Attitudes And Beliefs Survey

- In May, FNHA launched its Health Attitudes and Beliefs Survey to better understand the perspectives of BC First Nations on:
 - cannabis legalization
 - the opioid crisis, and
 - cancer screening
- Informative and accurate data to support our communities
- Two ways to help with survey participation:
 - Complete the survey yourself
 - Promote the survey to community members back home
- Survey is confidential and no one will know your answers.



Thank you!

Gayaxsixa (Hailhzaqvla)
Huy tseep q'u (Stz'uminus)
Haawa (Haida)
Gila'kasla (Kwakwaka'wakw)
Kleco Kleco (Nuu-Chah-Nulth)
k^wuk^wstéyp (Nlaka'pamux)
Snachailya (Carrier)

Kukwstum'clhkal'ap (St'atimc)
Tooyksim niin (Nisga'a)
Kukwstsétsemc (Secwepemc)
čěčěhaθεč (Ayajuthem)
Sechanalyagh (Tsilhqot'in)
kw'as ho:y (Halqeméylem)
T'oyaxsim nisim (Gitxsan)