



Montana Department of LABOR & INDUSTRY



Governor Steve Bullock
Commissioner Pam Bucy

Business Standards Division -

Board of Medical Examiners

TO: Children, Families, Health and Human Services Interim Committee
FROM: Ian Marquand, Board of Medical Examiners Exec. Officer
RE: Annual Report on Medical Marijuana Complaints
DATE: 6/19/2013

In compliance with 37-3-203 MCA, the Board of Medical Examiners is providing this annual report on the number of complaints and disciplinary actions against licensees related to the prescribing of medical marijuana.

Fiscal Year 2013 has been another quiet year for the Board on this subject. Since July 1, 2012, the Board's caseload of medical marijuana-related complaints has been:

New complaints received: 0
Complaints from prior years: 1 (still in compliance process)
Complaints adjudicated: 1

In March 2013, the Board adjudicated one complaint from a prior year against Dr. Ross Horsley. Dr. Horsley served as a physician for the Montana Caregivers Network at a medical marijuana clinic conducted on or about February/March 2010.

Over a five-day period, Dr. Horsley saw patients who were seeking medical marijuana cards. The patients' medical records were then in the possession and control of the Montana Caregivers Network, owned and operated by Jason Christ, and Dr. Horsley did not have access to those patients' charts. Dr. Horsley's inability to retrieve the patient records, which were in the possession and control of the Montana Caregivers Network, then gave rise to this board action under MCA 37-1-316(18).

The Board levied a fine of \$11,000 with \$10,000 stayed. The remaining \$1,000 was to cover Board costs. The Board also directed Dr. Horsley to provide 100 hours of pro bono tele-radiology services to low income or underserved patient populations within the state of Montana.