

NEW YORK
state department of
HEALTH

Howard A. Zucker, M.D., J.D.
Acting Commissioner of Health

Sue Kelly
Executive Deputy Commissioner

September 26, 2014

The Honorable Deputy Attorney General Cole
Deputy Attorney General of the United States
Department of Justice
Washington D.C.

Dear Deputy Attorney General Cole:

I am writing in follow up to my call to your office this past Tuesday regarding the letter of August 13, 2014 to Attorney General Holder. As noted in the letter, Governor Cuomo signed into law New York State's medical marijuana program in July. The Department of Health is working expeditiously to implement this strictly regulated program but it will take until next year to have operational aspects of the program in place. In the interim, many children and young adults with epilepsy that are not responsive to conventional treatments continue to suffer and there is objective evidence that cannabidiol (CBD), the active ingredient in marijuana, may help them.

We have asked that your office extend a narrow, time-limited exception to the importation of CBD from other states for use by these young patients with refractory epilepsy unresponsive to conventional therapies pending implementation of our program. After identifying a manufacturer that has complied with all relevant New York State laws as well as the laws of the state providing the CBD, and exhibiting sufficient moral character, the Department of Health would seek permission to securely transport CBD from the manufacturer so that it may be made available to these patients. Once our program is operational, however, we would cease any importation from other states.

This is an extremely important issue to us and it will help many children and young adults. As a pediatrician myself, I cannot urge you enough to consider this exception to the present law as we all only want the best for these young patients. Please call me at my office 518-474-2011 so that I may discuss this with you further.

Thank you for your consideration.

Respectfully,



Howard A. Zucker, M.D., J.D., L.L.M.
Acting Commissioner of Health