

## **Policy Direction - Health Canada Licensed Medical Cannabis Producers Relationship Policy**

---

### **Rationale and Relationship to Vision, Mission, and Values**

MS Canada has nurtured a mutually beneficial relationship with the corporate sector for many years. Over the past several years, this has included prospective partnerships with Health Canada licensed medical cannabis cultivators, processors, and medical sellers, as well as cannabis drug producers (collectively, “licensed producers”). Growing interest in medical cannabis as a therapeutic option for people living with MS since the 2018 legalization of recreational cannabis in Canada has also led to increased interest from licensed producers to partner with MS Canada. The partnership may be in the form of direct donations for activities related to education programs, advocacy activities, research projects, and fundraising events. Financial support from licensed producers can aid in fulfilling the mission of the organization. Through partnerships with licensed producers, MS Canada will be able to better meet the needs of people affected by MS.

MS Canada supports the right to affordable and accessible treatment to alleviate symptoms in adults living with MS, including treatment with cannabis drugs and with medical cannabis in compliance with Part 14 (Access to Cannabis for Medical Purposes) of the Cannabis Regulations to the Cannabis Act.

### **Policy Objective**

This Health Canada Licensed Medical Cannabis Producers Relationship Policy (“Policy”) provides a framework under which MS Canada can accept financial support from licensed producers while maintaining the values and mission of the organization, complying with applicable laws, and ensuring that the partnership is transparent and centers around the needs and best interests of people affected by MS. The related procedures are an integral part of MS Canada’s approach to licensed producers; both this Policy and the procedures shall be followed when undertaking programs funded through licensed producer partnerships.

### **Policy Application**

This Policy applies to all staff and volunteers of MS Canada and the partnerships they hold with licensed producers. This Policy applies **only** to Health Canada licensed producers.

<b>MS Canada – Policy Manual</b>	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024

MS Canada will not enter a partnership with cannabis companies who:

- i. are unlicensed, unless such unlicensed companies are brand/formulation owners whose cannabis products are produced under licence with a licensed producer – unlicensed distribution and sale of cannabis in Canada remains illegal and subject to law enforcement action; or
- ii. hold a provincially issued recreational cannabis retail store authorization or licence.

To sell cannabis products for medical purposes to patients, a company must have a *Sale for Medical Purposes licence* obtained federally from Health Canada pursuant to the *Cannabis Act*. Medical cannabis must be produced by companies holding cultivation and processing licences pursuant to the *Cannabis Act*. Cannabis drugs must be produced by companies holding a cannabis drug licence pursuant to the *Cannabis Act* and a drug establishment licence pursuant to the Food and Drug Regulations.

MS Canada will not enter a partnership or accept support from cannabis producers who do not hold the requisite licensing. It is the responsibility of MS Canada to confirm that a licensed producer is in good standing. A list of licenced producers, including the status of their licence, can be found on the Canada.ca [site](#). While there is no public directory of cannabis drug licence holders, cannabis drugs with DIN status can be confirmed on the Drug Product Database located at <https://health-products.canada.ca/dpd-bdpp/index-eng.jsp>.

## Authorization

The policy was approved by the Board of Directors on May 18, 2022.

## Policy Details

### 1.0 Guiding Principles

- 1.1 MS Canada is permitted to accept donations from licensed producers provided this Policy, the Acceptance of Gifts and Sponsorships Policy Direction and any related procedures are followed.
- 1.2 MS Canada should seek financial support from all relevant industry companies, including licensed producers. While it is permitted to designate specific projects or programs to particular companies, it is not allowable to have a single, exclusive financial support through partnership with one company for all projects and programs. Direct proceeds (regardless of percentage) from sales of any medical cannabis product (including cannabis

2

MS Canada – Policy Manual	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024

accessories) or any other product bearing a licensed producer or product logo are not supported by this Policy.

- 1.3 Licensed producer partners that provide support for education events may work in collaboration with MS Canada to develop content, however they will not guide or influence how MS Canada presents information. MS Canada will oversee the final content. MS Canada shall rely on documented scientific evidence and the advice of knowledgeable medical practitioners in presenting such information.
- 1.4 MS Canada shall be transparent and acknowledge the financial support of licensed producer partners in alignment with the Cannabis Act. In particular, each proposed partnership with a licensed producer shall be reviewed and assessed for compliance with the Cannabis Act, including Section 21, which prohibits the display or use of the name of a licensed producer or its brand in a promotion that is used in the sponsorship of any entity, event or activity. The factors to be taken into account in this assessment include:
  - (i) How the licensed producer’s name and/or brand is intended to be displayed or used;
  - (ii) Whether such display or use would constitute a “promotion” as defined in the *Cannabis Act*;
  - (iii) Whether any promotion displaying the name or brand of the licensed producer would be used in a sponsorship of MS Canada or an event or activity organized by MS Canada; and
  - (iv) The nature of any associated event or activity where the name or brand would be displayed (E.g. Is it open to the public? Is it attended by healthcare practitioners only? Is it age-gated?).

## **2.0 Educational materials not eligible for industry partner support**

Certain kinds of educational materials are not eligible for funding by Health Canada licensed medical cannabis producers. The list may be amended periodically as needed. The intent of this prohibition is to ensure there is no possible perception of external influence on the content of these fundamental MS Canada documents.

- 2.1 Annual or impact reports;
- 2.2 General information brochures about MS Canada;
- 2.3 General information (electronically or printed) about membership in MS Canada;
- 2.4 General information about programs and services, e.g., electronic or print available from MS Canada.

<b>MS Canada – Policy Manual</b>	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024

### **3.0 Standard written agreement**

MS Canada shall review the written agreement with the Health Canada licensed producer. The agreement must recognize the autonomy and independence of MS Canada, and that MS Canada is solely responsible for the identification of needs, determination of objectives, selection of content and speakers (where such are used) and execution of programs and projects that are supported by Health Canada licensed producer partners.

### **4.0 Authority to sign agreements**

Agreement may only be signed by signing officers of MS Canada.

### **5.0 Disclosure of Interest**

Licensed producer representatives who are speakers at an MS Canada event shall disclose to the audience their relationship with the licensed producer. *See the procedures for more details.*

### **6.0 Endorsement**

MS Canada shall not endorse any product or service provided by any company or organization.

### **7.0 Privacy and confidentiality**

MS Canada shall maintain the privacy and confidentiality of people affected by MS as per the MS Canada *Privacy and Confidentiality Policy Direction*. MS Canada staff and volunteers shall not provide company representatives with names and other contact information of people affected by MS. MS Canada shall not provide mailing lists of any kind, assistance with recruitment of people living with MS for research projects or market research purposes.

### **8.0 Gifts and honoraria**

MS Canada staff and governance volunteers, who are Board Directors, officers, and members of board standing committees at any level of MS Canada, shall not accept honoraria of any amount from licensed producer partners while acting on behalf of MS Canada. If honoraria are provided to all speakers, the honoraria to MS Canada staff and governance volunteers acting as speakers, shall be payable to MS Canada.

<b>MS Canada – Policy Manual</b>	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024

MS Canada staff and governance volunteers may accept reimbursement by licensed producers for appropriate expenses (such as out of pocket expenses including travel, accommodation, and meals related to events).

### **9.0 Wearing or using licensed producer partner company materials**

MS Canada staff and volunteers acting on behalf of MS Canada shall not wear or use articles bearing licensed medical cannabis producer partner company names, product names, logos or other insignia during MS Canada hosted events. This includes items of clothing, pens, notepaper, binders, and similar materials.

### **10.0 Non-monetary partnership opportunities**

MS Canada may receive requests from licensed producers or Medical Cannabis Organizations/Agencies to participate in patient committee meetings, advisory boards, stakeholder meetings, assist with promotion of a patient-focused program, market research surveys, focus groups or other patient group input activities. MS Canada does not participate in, or promote market research. MS Canada shall not participate in stakeholder meetings or advisory boards intended to provide insight or advice to licensed producers to assist with promotional or marketing related efforts related to a specific product or company.

Activities may include meeting with government or government agencies to advocate for new therapeutics in collaboration with licensed producers and health care professionals. The role of MS Canada in a joint meeting is limited to providing patient feedback and advocating for access to medical cannabis according to the *Cannabis Act*.

MS Canada advocates for Canadian adults living with MS to have the right to affordable and accessible treatment with medical cannabis to alleviate symptoms, in compliance with the *Cannabis Act*. MS Canada will, where requested and appropriate, participate as a patient group voice to advocate for access to medical cannabis. MS Canada will decline participation if the activity is perceived as endorsement of a specific product, service or program.

At the time of publication of this Policy, MS Canada does not have the capacity to promote programs and services offered by licensed producers.

### **Executive Champion**

The Senior Vice-President, Mission, is the executive champion of this policy.

<b>MS Canada – Policy Manual</b>	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024

## **Monitoring and Compliance**

All MS Canada staff engaged with licensed producers must comply with this Policy as well as the Cannabis Act. Compliance and monitoring extend to revenue generated from licensed producers.

## **Related Policies, Legislation**

This Policy, along with other MS Canada policy directions, provides the ethical framework that allows the MS Society to accept support from licensed producers. MS Canada strictly adheres to the Cannabis Act.

## **Policy Review**

This Policy is to be reviewed at a minimum every two years following approval or as directed by an unexpected or new-found situation requiring policy change.

<b>MS Canada – Policy Manual</b>	
<i>Applies to:</i>	All Staff and Volunteers
<i>Frequency of review:</i>	Every two years or less
<i>First approved:</i>	May 18, 2022
<i>Last reviewed:</i>	
<i>Next scheduled review:</i>	May 2024