

# Czechs in quandary over legal medical marijuana

November 15 2013, by Karel Janicek

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To go with Czech Medical Marijuana by Karel Janicek Martina Kafkova, patient diagnosed with multiple sclerosis, smokes a joint at her home in Tyn nad Vltavou, Czech Republic, Monday, Oct. 14, 2013. Confined to a wheelchair, the former non-smoker needs five short joints a day to get relief from severe stiffness, painful spasms and breathing troubles because other available medicine is not effective enough to help. Czech Republic has approved legislation for use of medical marijuana but it is still impossible to obtain it in legal way. (AP Photo/Petr David Josek)

(AP)—Just three years ago, the only thing that Zdenek Majzlik knew about cannabis was that it's good stuff for making rope. Today, the 67-year-old retired nuclear power plant employee is an experienced grower who cultivates pot for his daughter who has multiple sclerosis.

Majzlik faces a thorny dilemma: The Czech Republic legalized medical marijuana use this year, but maintained strict restrictions on growing, selling and importing it. For Majzlik, the solution is breaking the law to grow pot for his daughter.

"She's my child and it is my duty to take care of her," Majzlik said, standing in front of a [cannabis](#) plant in his garden. "I do what I have to and I will continue doing so. I have no other option."

Medical marijuana is legal in a number of European countries, Israel and 20 U.S. states as well the District of Columbia. Advocates say it gives patients relief from the debilitating symptoms of illnesses including cancer, [multiple sclerosis](#) and Parkinson's disease, where more conventional treatment fails.

The Czech Republic's parliament legalized medical marijuana this year by an overwhelming majority, with the law becoming effective April 1. But some 20,000 patients who are estimated to be eligible for cannabis treatment have no chance to get it legally—although so far police have largely ignored renegade growers such as Majzlik who technically would face prison.

Patients and medical experts blame interference by the Health Ministry, which has long fiercely opposed legalizing medical marijuana.

"There's a very consistent effort from the Ministry of Health not to make the law really enforced," said Dr. Tomas Zabransky, a U.N and EU adviser on drug issues. The ministry denies deliberately blocking access

to medical marijuana, but few question that its policies have raised steep barriers for patients to access pot legally.

The Health Ministry and its State Institute for Drug Control, the nation's drug agency, banned health insurance companies from covering the cost of medical marijuana, and set the maximum amount patients are allowed at 30 grams (1.1 ounces) per month, an amount Zabransky says often falls woefully short of providing effective relief.

The government also banned treatment for those under 18 and allowed imports of just four types of cannabis that can be obtained only from the Netherlands at a cost of about \$10 per gram—prohibitive for most patients in a nation where the average monthly salary is \$1,300 and the average pension is \$500.



To go with Czech Medical Marijuana by Karel Janicek Martina Kafkova, patient diagnosed with multiple sclerosis, answers questions during an interview with The Associated Press at her home in Tyn nad Vltavou, Czech Republic, Monday,

Oct. 14, 2013. Confined to a wheelchair, the former non-smoker needs five short joints a day to get relief from severe stiffness, painful spasms and breathing troubles because other available medicine is not effective enough to help. Czech Republic has approved legislation for use of medical marijuana but it is still impossible to obtain it in legal way. (AP Photo/Petr David Josek)

The government said it restricted legal use to these four types from the Dutch marijuana monopoly to ensure quality. Health Ministry spokeswoman Dana Salamunova said medical marijuana is not covered by insurance because the "positive effects of cannabis have not been clearly clinically proven."

So far, two licenses have been issued allowing import and distribution of marijuana, and Salamunova said the cannabis approved under those licenses may hit pharmacies in December. But the pharmacies won't be able to legally sell it until an electronic registry is set up to record prescriptions, sales and patient information—and it's not clear when it will be up and running.

The law currently only allows [medical cannabis](#) to be imported. The Czech drug agency plans to call a public tender in April for up to 10 licenses to grow an unspecified amount of medical marijuana. The winning bidders won't be able to start growing until they've been issued licenses, a process that could take months in this bureaucracy-heavy nation.

Jindrich Voboril, the government's national drug coordinator, said the conditions for obtaining medical marijuana are "unnecessarily limiting and discriminating." Under current rules the illegal market will continue to be the main supply source, a situation Voboril calls "unacceptable."

Zabransky said doctors' only real option is to advise patients to obtain pot illegally, either growing it or buying on the black market.

Even that route may be getting harder: The government last week launched a harsh crackdown on stores suspected of supplying material for growing marijuana, carrying out about 100 raids and putting dozens of people under investigation.

Majzlik's 46-year-old daughter has been fully dependent on her parents since her marriage fell apart three years ago. Martina Kafkova was teaching guitar at a school for disabled children when she was diagnosed with multiple sclerosis 19 years ago.

Kafkova, who uses a wheelchair, needs five joints a day to get relief from severe stiffness, painful spasms and breathing troubles because other available medicine is not effective enough.

"Cannabis has saved my life," said the tiny woman, who weighs just 43 kilograms (95 pounds), during a recent interview in the apartment where she lives with her parents. Living without it, should said, "would be a nightmare."

Her father had to step in after she ran out of supplies following her divorce.

"She was in pain, screaming and begging me to help her die," he said.

Meanwhile, Majzlik spends most of his time bombarding authorities, including health officials and police, trying to make it easier to access marijuana and to lift the ban on growing it for pain relief.

"That I face five years in jail for trying to provide something the current medicine can't do is insane," he said. "I don't want to be a hero. I am

breaking the law and that's a problem for me. I don't think I'm a criminal."

His activities helped persuade lawmakers to vote in favor of [medical marijuana](#). Now he's angry it is still not widely available. He recently approached the U.N High Commissioner for Human Rights and the Council of Europe for help.

Kafkova, who received the equivalent of \$400 a month from the state, expressed despair over her situation: "I only hope that I will die sooner than my parents. What would I do without them?"

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