

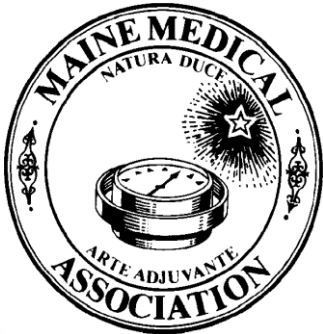


Medical Marijuana and Student Health

New England College Health Association

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Medical Marijuana Laws

- Alaska (1998)
- Arizona (1996, 2010)
- California (1996)
- Colorado (2000)
- Connecticut
- Delaware (2011)
- District of Columbia (2010)
- Hawaii (2000)
- Illinois
- Maine (2009)
- Massachusetts
- Michigan (2008)
- Montana (2004)
- Nevada (2000)
- New Hampshire
- New Jersey (2010)
- New Mexico (2007)
- Oregon (1998)
- Rhode Island (2006)
- Vermont (2004)
- Washington (1998)
- "Affirmative Defense"
 - Maryland (2011)



AMA Policy on Medical Marijuana

- House of Delegates Resolution 95.952, *Medical Marijuana*
 - Calls for further study for "... patients who have serious conditions for which preclinical, anecdotal, or controlled evidence suggests possible efficacy ..."
 - Not endorsement of state laws
 - Not supportive of legalization
 - Scientific evidence doesn't meet current standards for prescription drug products
 - "... effective patient care requires the free and unfettered exchange of information on treatment alternatives" and neither physicians nor patients should be subject to criminal sanctions



But, AMA Policy Also States

- House of Delegates Resolution 95.998, *AMA Policy Statement on Cannabis*
 - "Cannabis is a dangerous drug and as such is a public health concern"
 - Sale should not be legalized



Maine Law

- 1999: *Maine Medical Marijuana Act* passes as "initiated bill"
 - Authorizes medical use of marijuana for certain qualifying conditions, but does not address access
- 2009: *New Maine Medical Marijuana Act* approved by voters
 - Repeals & replaces 1999 law
 - Governor Baldacci issues Executive Order Establishing the Committee on the implementation of the Maine Medical Marijuana Act
- 2011, 2013, & 2014: Legislative amendments



Who Qualifies

Debilitating Medical Condition

- Cancer, glaucoma, HIV/AIDS, hepatitis C, amyotrophic lateral sclerosis (ALS), agitation of Alzheimer's disease, nail-patella syndrome or the treatment of these conditions
- A chronic or debilitating disease or medical condition or its treatment that produces intractable pain, which is pain that has not responded to ordinary medical or surgical measures for more than 6 months



Who Qualifies

- A chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia or wasting syndrome; severe nausea; or seizures, including but not limited to those characteristic of epilepsy
- Post-traumatic stress disorder, inflammatory bowel disease, dyskinetic and spastic movement disorders and other diseases causing severe and persistent muscle spasms
- Conditions added after petition from the public and consideration by DHHS



Maine

Most recent amendments

2013 Added the following to list of conditions

- Post-traumatic stress disorder
- Inflammatory bowel disease
- Dyskinetic and spastic movement disorders and other diseases causing severe and persistent muscle spasms

2014 Added nurse practitioners to list of health professionals who can issue a certificate

Added language clarifying that a certificate can be written for less than one year



New England Laws

ME	1999	Maine Medical Marijuana Act 22 MRSA Sections 2421 to 2430-B
VT	2003	Therapeutic Use of Cannabis Chapter 86
RI	2006	House Bill 6052



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|----|------|---|
| CT | 2012 | "An Act Concerning the Palliative Use of Marijuana"
Public Act 12-55 |
| MA | 2012 | Effective 1/1/2013
"An Act for the Humanitarian Medical Use of Marijuana"
Chapter 369 |
| NH | 2013 | Effective sometime in 2015
House Bill 573 |



Laws in New England

Common Provisions

Qualifying Conditions

- Cancer
 - Crohn's disease
 - Multiple Sclerosis
-
- ALS
 - Glaucoma
 - HIV
 - Aids
-
- Parkinson's disease
 - Hepatitis C
 - Alzheimer's
 - Nail-patella syndrome
 - PTSD (ME)

Most Common

Very Common

Less Common



New England Laws

Common Provisions

Qualifying Conditions

- Intractable pain
- Nausea
- "Other conditions as determined in writing by a qualifying physician" (MA)



New England Laws

Differentiating Provisions

- Who can certify:
 - Physicians (all)
 - Nurse Practitioners (ME, VT)
 - Physician Assistants (VT)
 - Naturopaths (VT)
- Registration Process
 - Mandatory
 - Voluntary
- Dispensaries (all)
Number ranges from 3 (RI) to 35 (MA)



New England Laws

Differentiating Provisions

- MA physicians must access the Prescription Monitoring Program before preparing a certificate
- Bona fide health care professional-patient relationship
 - no less than 6 months (VT)
 - no less than 3 months (NH)
 - no definition (ME)
- Caregivers



New England Laws

Differentiating Provisions

- Home Cultivation
- Number of plants
- Reciprocity
 - Yes (ME, RI)
 - No (NH, MA CT, VT)



Legal and Practical Considerations

- Drug Free Schools and Communities Act (1989 Amendments)
- Drug Free Workplace Act
- Controlled Substances Act

All disallow the use of drugs on campus, including marijuana



- Failure to comply with federal law could jeopardize al federal fundraising and financial aid programs for students.
- Institutional Policies
- Student Code of Conduct



Sample Policies

- Prohibit on-campus or at university-sponsored events
- Accommodate eligible student by releasing from housing/dining contract



So what is a compassionate, college health professional to do?

- Inform students of options
- Do not prepare certificates yourself
- Don't ask, Don't tell

If trend toward legislation continues, these laws won't matter



Q & A

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