



It's Time to Allow Medical Marijuana in Texas

Voters support allowing the compassionate use of medical marijuana

58% percent of Texas voters,¹ and the vast majority of Americans, believe seriously ill patients should be allowed to use marijuana medicinally if their doctors recommend it.² The government should not get between a patient and a doctor.

47% of Americans live in a state or district with medical marijuana

Currently 23 states, including Arizona, Montana, Nevada and New Mexico — as well as the District of Columbia — have workable laws that protect medical marijuana patients from criminal penalties.³

The medical community recognizes the importance of access

Medical marijuana is proven to be effective in the treatment of a variety of debilitating medical conditions. In its 1999 report, the National Academy of Sciences' Institute of Medicine reported that "Nausea, appetite loss, pain and anxiety are all afflictions of wasting, and can be mitigated by marijuana." Many other medical organizations and physicians have recognized marijuana's medical benefits,⁴ including:

- The Epilepsy Foundation
- The American Nurses Association
- The American Public Health Association
- The Leukemia & Lymphoma Society
- Arthritis Research Campaign
- The Lymphoma Foundation of America
- The American College of Physicians
- The National Nurses Society on Addictions
- Texas Nurses Association
- The majority of doctors responding to WebMD survey in 2014.⁵

In 2013, the Texas Medical Association stated:

*TMA policy supports the physician's right to discuss with his or her patients any and all possible treatment options related to the patient's health and clinical care (including the use of marijuana) without the threat to physician or patient of regulatory, disciplinary, or criminal sanctions.*⁶

Marijuana is less harmful than many prescription medications

¹ <http://www.mpp.org/assets/pdfs/states/PPP-Texas-Poll-2013.pdf>

² Emily Swanson, "Huge Support For Medical Marijuana, Even Where It's Not Legal Now," Huffington Post, March 6, 2014, http://www.huffingtonpost.com/2014/03/06/medical-marijuana-poll_n_4906833.html

³ <http://medicalmarijuana.procon.org/view.resource.php?resourceID=000881>

⁴ <http://www.mpp.org/reports/medical-marijuana-endorsements-and-statements-of-support.html>

⁵ R. Scott Rappold, "Legalize Medical Marijuana, Doctors Say in Survey," WebMD website, April 2, 2014, <http://www.webmd.com/news/breaking-news/marijuana-on-main-street/20140225/webmd-marijuana-survey-web>

⁶ Mark Wiggins, "Lawmaker hopes 6th time's the charm for medical marijuana bill," KVUE, January 24, 2014, <http://www.khou.com/news/texas-news/188199881.html>

According to the Centers for Disease Control and Prevention (CDC), drug overdose death rates in the United States have more than tripled since 1990 and have never been higher.⁷ In 2008, more than 36,000 people died from drug overdoses, and most of these deaths were caused by prescription drugs.⁸ By contrast, medical marijuana is a safer alternative and can even reduce reliance on prescription painkillers. No one has ever fatally overdosed on marijuana.⁹

Allowing in-state medical marijuana producers will take business away from cartels

People should not be made into criminals for using a substance that can treat serious illness. For those who run the risk of jail and other serious consequences, they end up obtaining marijuana on the criminal market – where the marijuana was often trafficked by cartels.¹⁰ A free, legitimate U.S. market should replace dangerous criminal organizations.

Medical Marijuana Bill Overview

- Seriously ill patients who are properly authorized by a physician could not be arrested or penalized for possessing up to 2.5 ounces of marijuana or for growing a limited amount in a secure location.
- To qualify, patients would have to have one of the specifically listed debilitating medical conditions.
- Physicians could not be punished for indicating that a person's medical condition could be alleviated through the use of medical marijuana.
- Businesses would be able to cultivate and sell medical marijuana to qualified patients, subject to rules, keeping criminal elements away from patients.
- Those who produce medical marijuana must keep it secure.
- Medical marijuana would have to be tested and labeled for potency and be approved free from harmful contaminants.
- Since some seriously ill patients can have problems travelling, patients may designate a caregiver (such as a spouse) to help obtain medical marijuana from authorized organizations.

⁷ CDC. "Vital Signs: Overdoses of Prescription Opioid Pain Relievers — United States," 1999-2008. *MMWR* 2011; 60: 1-6.

⁸ *Id.*

⁹ Collen. "Prescribing Cannabis for Harm Reduction," *Harm Reduction Journal*, 2012, <http://www.harmreductionjournal.com/content/9/1/1>, citing Carter GT, Flanagan AM, Earleywine M, Abrams DI, Aggarwal SK, Grinspoon L, "Cannabis in palliative medicine: improving care and reducing opioid-related morbidity," *Am J Hosp Palliat Care*, 2011, 28: 297-303.

¹⁰ Stevenson, Mark, "Marijuana a big earner for Mexico gangs," *Associated Press*, February 21, 2008.