



STATE OF VERMONT
SENATE

MEMORANDUM

To: Senate Committee on Judiciary
From: Senate Committee on Health and Welfare
Date: January 26, 2016
Subject: Comments on the Public Health Impacts of Marijuana

As requested, the Senate Committee on Health and Welfare (Committee) has reviewed the public health impacts of legalizing marijuana in Vermont. The political and cultural biases regarding marijuana has a long history. As a result, it continues to be difficult to evaluate the non-medical effect of marijuana.

The Committee heard from an array of stakeholders, including the Department of Health, physicians, substance abuse specialists, and members of the academic community. Ultimately, the Committee was struck by the diverse opinions presented by witnesses. As a result, it recommends that the Senate Committee on Judiciary review the narrative portions of the Vermont Department of Health's Health Impact Assessment (HIA) on Marijuana Regulation in Vermont and the Vermont Public Health Association's Statement Concerning Non-Therapeutic Marijuana in Vermont.

Some of the testimony that the Committee heard questioned the validity of the HIA. Criticism of the HIA by medical professionals in the academic community may reflect the shortcomings of current research on legal marijuana use, the time frame in which the HIA was conducted, or the number and type of stakeholders invited to participate in the HIA. The disparities in testimony may also reflect a difference in the perspective offered by a public health policy assessment versus a scientific literature review.¹

The Department, in developing its HIA, was tasked with evaluating the possible public health effects and potential policy implications if marijuana were to become legal

¹ According to a report published by the National Academies of Sciences and of Engineering, the Institute of Medicine, and the National Research Council a health impact assessment is a systematic process that uses an array of data sources and analytic methods and considers input from stakeholders to determine the potential effects of a proposed policy on the health of a population and the distribution of those effects within the population. A health impact assessment provides recommendations on monitoring and managing those effects.

in Vermont. While quantitative and qualitative information were used to complete the HIA, it was never anticipated that the HIA would determine whether marijuana should be legalized. The shortcomings of the HIA are acknowledged on page 17 of that report and guidance for policy implementation if marijuana is legalized can be found on pages 6–11. Additionally, it should be noted that medicinal marijuana was not considered by the HIA.

The Department of Health and nearly all other witnesses identified the impact of marijuana use among youth versus adults. The Committee heard testimony that the regular use of marijuana prior to 25 years of age could affect brain development and structure. It also heard testimony raising concerns about the correlation between the regular use of marijuana by youth and academic performance. Although proposed legislation does not contemplate legalizing marijuana for youth, many witnesses testified that authorizing nontherapeutic use of marijuana for adults would certainly make the substance more accessible to Vermont's youth. Consequently, the Committee's greatest concern is reducing the impact of the proposed legislation on youth.

Another aspect of legalizing marijuana that should be addressed by any legislation passed in the Senate involves the quality and potency of products sold in Vermont. The Committee heard testimony regarding the negative health consequences of inhaling or consuming marijuana products that contain impurities such as mold. Additionally, many witnesses explained that the potency of marijuana has been increasing at a rapid rate, particularly in those states that have legalized its use, which may lead a user to inhale or consume more than intended. As a result of these findings, the Committee recommends that marijuana sold in Vermont is tested to ensure its quality and also that all products sold contain a label indicating its potency.

From a public health perspective, the legalization of marijuana would likely also impact the safety of Vermont's roadways. Whereas alcohol use tends to slow a driver's reaction time, evidence indicates that marijuana use slows the necessary judgment time for a driver to initiate a reaction. The Committee believes that the Senate Committee on Judiciary should give careful consideration to ways to develop and train law enforcement in the most accurate field tests for assessing whether a driver is under the influence of tetrahydrocannabinol (THC). The Committee learned that tests differ from those used for alcohol impairment. Using the best technology gives law enforcement personnel a useful tool to keep impaired drivers off Vermont's roads.

Many of the witnesses who testified before the Committee believed that gaps exist in the research regarding marijuana use, particularly with regard to long-term health effects. There are so many unknowns that the full range of what we have yet to learn is unclear. Testimony by Commissioner Chen and Shayla Livingston, a policy analyst for the Department of Health, pointed out the lack of longitudinal studies pertaining to legal marijuana use, and that such studies are necessary. If Vermont legalizes marijuana use, a center for studying its public health effects could provide an opportunity for more long-term assessments of marijuana.

The Committee believes that a robust education and prevention campaign is the best way to make potential consumers of marijuana aware of the inherent health risks associated with this substance. It recommends that the Department of Health build an education and prevention campaign similar to that employed for tobacco use. In particular, efforts should be made to target this campaign toward potential underage users. Any Board of Marijuana Control established by the General Assembly should include a member representing an organization dedicated to tobacco control and prevention.

Finally, the Committee notes that prohibition as a policy to prevent or limit marijuana use has not solved the problem of youth access.

Sen. Claire Ayer