

# VERMONT MEDICAL SOCIETY

**Date:** April 13, 2017

**To:** House Committee on Human Services

**From:** Jessa Barnard, Vice President for Policy

**RE:** VMS Position on S. 16, Relating to Expanding Patient Access to the Medical Marijuana Registry

Thank you for taking testimony from the Vermont Medical Society regarding S. 16, An act relating to expanding patient access to the Medical Marijuana Registry. The Vermont Medical Society is the state's largest physician membership organization, representing over 2000 physicians, medical residents and medical students across specialties and geographic and practice location.

Below we outline our concerns with several of the proposed changes the bill would make to the Marijuana for Medical Use program, and issues discussed by the Committee in regard to the Registry:

## **Exception to Three-Month Relationship When Referring to a Specialist (Sec 1 (B)(v))**

- VMS is unsure how to interpret the change outlined in Section 1(B)(v) that would create an exception to needing a three-month health care professional-patient relationship if the “patient is referred by his or her health care professional to a health care professional who specializes in diagnosing and treating certain debilitating medical conditions.” Will the clinician self-identify as a specialist? Does it apply to a clinician who treats all “debilitating medical conditions” as defined in the law or only “certain” of the conditions? VMS believes this paragraph should be clarified.

## **Adding PTSD to the list of “debilitating medical conditions” (Sec 1 (4)(A))**

- The Medical Society believes that there should be a sufficient basis in scientific evidence for any condition to be added to the list for which individuals can obtain marijuana. According to a January 2017 review of the evidence conducted by the National Academies of Science, Engineering and Medicine<sup>1</sup>, while there is strong evidence that marijuana may alleviate symptoms for some conditions, such as chronic pain and chemotherapy-induced nausea, there is limited evidence of its usefulness for PTSD and evidence that it can, in fact, increase the severity of PTSD symptoms. After a review of the evidence, the American Psychiatric Association opposed allowing the use of marijuana for those with the condition.<sup>2</sup> VMS opposes adding PTSD to the list at this time.

## **Advertising (Sec 4)**

- VMS shares the Vermont Department of Health's concern that increased advertising could impact youth use

## **CME/Promoting Knowledge of the Registry**

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<sup>1</sup> <http://nationalacademies.org/hmd/~media/Files/Report%20Files/2017/Cannabis-Health-Effects/Cannabis-conclusions.pdf>

<sup>2</sup> <https://www.psychiatry.org/File%20Library/Learn/Archives/Position-2013-Marijuana-As-Medicine.pdf>

The Medical Society believes it is important to share information with Vermont's physicians regarding the Marijuana Registry. Below are some of the resources that VMS already does provide to Vermont physicians, as well as those we would be pleased to offer in the future.

- Vermont Medical Society "Materials and Resources" website – links to Marijuana Registry Information<sup>3</sup>
- Vermont Medical Society "Vermont Guide to Health Law" chapter on Marijuana for Therapeutic Use – the entire guide has recently been updated<sup>4</sup> and this chapter has been rewritten with the assistance of staff at the Vermont Department of Public Safety – it was posted online in February (attached)
- Vermont Medical Society Wednesday Webinar Series: VMS has begun a free monthly webinar series aimed at Vermont physicians and their medical staff.<sup>5</sup> We plan to dedicate one of the webinar slots in the 2017-18 series to the topic of the Medical Marijuana Registry.
- Vermont Medical Society annual meeting: VMS offered a continuing medical education session on Medical Marijuana at our November 2016 annual meeting, and speakers included Jeffrey Wallin with DPS and Kalev Freeman, MD and Monique McHenry, PhD

At the same time, VMS opposes mandatory continuing medical education on the topic of the Marijuana Registry. VMS believes that continuing medical education time is limited and physicians should have the flexibility to select continuing education on the topics most relevant to their specialty or area of practice. There will be physicians who never see a patient who could be eligible for the program, such as pathologists or radiologists. In February 2017, in response to S. 16 as introduced, the Board of Medical Practice adopted the following statement on mandatory CME: "any mandated training should be on subjects that directly support safer and improved practice. In that physicians do not, and cannot prescribe marijuana, the Board finds that the proposed subject does not meet that standard."

#### **Other Barriers to Completing Paperwork**

Physicians recognize that filling out the paperwork for a patient does not involve prescribing or recommending the use of marijuana. However, given marijuana's continued status as a schedule I drug at the Federal level, legitimate legal and regulatory barriers remain when physicians consider their participation in the program. For example, regulatory barriers face physicians who are employed by entities that are federally-funded such as Veterans Administration medical centers or federally qualified health centers. In addition, physicians are limited in the information available to them because of Federal restrictions on the ability to study marijuana and because physicians must be cautious about crossing the legal line to "recommending" or "prescribing" specific amounts, types or doses of marijuana. For more information, see the Section on "Legal and Regulatory Considerations" in our Guide to Law.

Thank you for considering our position and please let me know if you have further questions.

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<sup>3</sup> <http://www.vtmd.org/materials-and-resources>

<sup>4</sup> <http://www.vtmd.org/vermont-guide-health-care-law>

<sup>5</sup> <http://www.vtmd.org/vms-launches-free-webinar-series>