

TESTIMONY OF THE MAINE MEDICAL ASSOCIATION
IN OPPOSITION TO
L.D. 770, AN ACT TO CLARIFY APPLICATION OF THE MEDICAL
MARIJUANA LAW
AND
L.D. 1418, AN ACT TO PROVIDE PATIENTS WITH THEIR
MEDICATION

Joint Standing Committee on Health & Human Services
Room 209, Cross State Office Building
Monday, April 23, 2007, 2:00 p.m.

Good afternoon Senator Brannigan, Representative Perry, & Members of the Joint Standing Committee on Health & Human Services. My name is Andrew MacLean and I am Deputy Executive Vice President of the Maine Medical Association, a professional organization representing more than 2700 Maine physicians. I am here today to speak in opposition to L.D. 770, *An Act to Clarify the Application of the Medical Marijuana Law* and L.D. 1418, *An Act to Provide Patients with Their Medication*.

I will address L.D. 1418, the broader of the two bills. The MMA opposed the *Maine Medical Marijuana Law of 1998* both before the legislature and in the citizen initiative in 1999. The organization did so for three principal reasons:

1. Lack of scientific evidence proving efficacy. As I have mentioned before this Committee in the past, a fundamental element of the quality improvement/patient safety movement in medicine today is

the need for scientific evidence supporting the treatment recommended by the practitioner. While some individuals may find benefit in the “medical use of marijuana,” the weight of scientific evidence supports the use of prescription alternatives for each of the eligible conditions under current law and for the expanded list of conditions in both bills.

2. The risks of using an unregulated substance for medical reasons.

The standard for prescription medications in our country is FDA approval. Patients face significant medical risks in using an unregulated product like marijuana because of the potential for contamination when there is no real quality control in the manufacturing process. Physicians face substantial professional liability exposure because the medication standard is FDA approval.

3. Uncertain status under federal law. Physicians and patients still are at some, however minor, risk of prosecution because there is no approved “medical use” of marijuana under federal law.

Our concerns in each of these 3 areas remain the same as in the late 1990s. The MMA’s opposition is focused in the expansion of the medical conditions eligible and the practitioners authorized to certify individuals eligible under the medical marijuana law. Because of the risk of substance abuse associated with marijuana, the MMA does have concerns about the amount of marijuana

authorized in L.D. 1418 and the dispensing proposal, but the law enforcement community can comment in detail about those provisions.

Finally, I have attached for your information, a *Physician Certification of Eligibility for Medical Use of Marijuana/Consent to Treatment with Marijuana for Medical Purposes* form I prepared following enactment of the current law.

Thank you for considering the views of the MMA on L.D.s 770 and 1418, and I would be happy to respond to any questions you may have.