

**TESTIMONY OF THE MAINE MEDICAL ASSOCIATION**

**NEITHER FOR NOR AGAINST**

**L.D. 975, AN ACT TO ESTABLISH THE MAINE MEDICAL MARIJUANA ACT**

**AND**

**L.D. 1070, RESOLVE, DIRECTING THE UNIVERSITY OF MAINE AT ORONO TO  
CONDUCT A PILOT PROJECT REGARDING THE BENEFITS OF MEDICAL  
MARIJUANA**

Joint Standing Committee on Health & Human Services  
Room 209, Cross State Office Building  
Monday, April 13, 2009, 1:00 p.m.

Good afternoon Senator Brannigan, Representative Perry, and Members of the Joint Standing Committee on Health & Human Services. I am Andrew MacLean, Deputy EVP of the Maine Medical Association (MMA) and I am speaking “neither for nor against” L.D. 975, *An Act to Establish the Maine Medical Marijuana Act* and L.D. 1070, *Resolve, Directing the University of Maine at Orono to Conduct a Pilot Project Regarding the Benefits of Medical Marijuana*.

The MMA is a professional association representing more than 3000 physicians, residents, and medical students in Maine whose mission is to support Maine physicians, advance the quality of medicine in Maine, and promote the health of all Maine citizens.

The MMA opposed the original “medical marijuana” bill (I.B. 1999, Chapter 1) before the 119<sup>th</sup> Maine Legislature and in the referendum that followed. The association’s rationale for the opposition was based upon the medical and legal risks associated with marijuana use. Most physicians believe that suitable FDA-approved drugs are available for each of the qualifying conditions in current law and for the “debilitating medical conditions” proposed in L.D. 975. While some physicians acknowledge that patients may receive relief of symptoms from smoked

marijuana sooner because the active ingredient enters the bloodstream sooner than FDA-approved alternatives, most believe that the health risks of smoking outweigh the potential benefit.

Although the MMA opposed the referendum, we did participate in good faith in a working group assembled by the Office of the Attorney General to implement the new law. With the input of this working group, I drafted the attached *Physician Certification of Eligibility for Medical Use of Marijuana/Consent to Treatment with Marijuana for Medical Purposes* form (copy attached) to assist those physicians who are comfortable working with medical marijuana patients. This document describes the principal medical and legal risks and I would be happy to discuss these further with you at the work session, if you wish. Since the medical marijuana law passed, the MMA receives occasional inquiries about it from physicians and patients, and Gordon and I have provided neutral advice. I must point out that we have not heard concerns from physicians about any misuse of this law.

The MMA takes no position on the registry, dispensary, or limitation of amount aspects of L.D. 975. The MMA does draw your attention to the apparent expansion of the scope of qualifying conditions in the bill's definition of "debilitating medical condition" in the proposed 22 M.R.S.A. §2422(2) in Section 5 of the bill. I expect that Maine physicians have varying opinions on the scope of qualifying conditions. While a majority still may be conservative about the medical use of marijuana, others do find benefits for patients. In that regard, I have set out below excerpts from an email I received this morning from my neighbor, John Woytowicz, M.D., a physician with the Family Medicine Institute and MaineGeneral Medical Center who has ten years of experience working with medical marijuana patients in Maine.

I am familiar with much of the literature on the medical use of marijuana except for nail-patella syndrome. I have not seen literature on this topic. The other indications have in

many cases a good body of literature that is of good quality. The literature on Alzheimer's is more suggestive than substantial for its role in slowing inflammation. On the other hand, it is reasonable to think that calming agitation in Alzheimer's with marijuana would be an effective approach. The expansion of the law to include Hep C, AML, and Crohn's disease make a lot of sense as there is a large body of literature to support these indications as many of the same symptoms are being treated in the previously designated indications.

[In ten years of working with medical marijuana patients,] I have seen great benefit to patients who use it. Often it is more effective and it causes fewer side effects compared with pharmaceuticals, and at lower doses than available in prescription marinol. Marinol which has a limited profile of use is usually not tolerated well. Individuals are often groggy and experience cloudy thinking due to the dose/concentration of THC. Usually when I have testified at the State House or in court, I make it clear that marijuana is only part of the treatment plan that I develop with each patient. I always indicate that other forms of treatment, new treatments and re-exploring previous modalities is part of the plan along with the medical use of marijuana.

One benefit I hope will arise from this bill or a positive referendum vote is to identify which physicians are willing to work with the public. I receive calls from around the state but it is often impractical to help everyone who cannot come to my office at least twice a year. I do not have a list of physicians to suggest to patients. Ideally, I prefer to become the primary care giver if they are local. I do not require this but I do make the suggestion. Otherwise, I wish to see each person at least twice yearly. This has worked except for two experiences in ten years.

The MMA is comfortable with the pilot project proposed in L.D. 1070 as it is consistent with standing AMA policy on medical marijuana in favor of further research. For your information, I have attached the following policy statements:

- AMA House of Delegates Resolution 95.952, *Medical Marijuana*;
- AMA House of Delegates Resolution 95.995, *Health Aspects of Marijuana*; and
- AMA House of Delegates Resolution 95.997, *Marijuana*.

Thank you for considering the MMA's views on this matter and I would be happy to respond to any questions you may have.