

AMERICANS FOR SAFE ACCESS

# HOUSE BILL 689

## STATES' MEDICAL MARIJUANA PATIENT PROTECTION ACT

**FACT SHEET**

### Introduced by Rep. Earl Blumenauer (D, OR-3)

Cosponsors: Cohen, DeFazio, Farr, Grijalva, A. Hastings, Honda, Huffman, Lee, Lofgren, Lowenthal, McGovern, G. Miller, Moran, Nadler, Pastor, Pingree, Pocan, Polis, Rohrabacher, Schakowsky, Sherman, Swalwell, Welch

### SUMMARY

HR 689 would reclassify marijuana from a Schedule I drug, which cannot be prescribed, to one between Schedule III and V, which would recognize its medical value. It would create a regulatory framework for the FDA to begin a drug approval process for marijuana. The act would also prevent interference by the federal government in any local or state-run medical marijuana program and provide protection under federal law for state-qualified patients and caregivers.

### WHAT IT DOES

- HR 689 would end the ongoing federal interference with the implementation of state-approved medical marijuana programs. Would reign in the U.S. Attorneys who have said they will continue that interference despite the Department of Justice (DOJ) memo, "Guidance Regarding Marijuana Enforcement," issued by Deputy Attorney General James M. Cole on August 29, 2013.
- Requires the US Attorney General to delegate control of marijuana for medical research to an arm of the Executive Branch that is not not focused on researching addiction.
- Reclassifies marijuana from a Schedule I drug to one placed between Schedule III and Schedule V, which would recognize the medical value of marijuana.
- Prevents the DOJ from prohibiting or restricting, in a state in which marijuana may be prescribed or recommended by a physician for medical use under applicable State law, a physician from prescribing or recommending marijuana for medical use.
- Prevents the DOJ from prohibiting or restricting an individual, in a state in which marijuana may be prescribed or recommended under applicable State law, from obtaining, possessing, or transporting within their state, manufacturing or using marijuana in accordance with a prescription or recommendation of marijuana by a physician for medical use.
- Prevents the DOJ from prohibiting or restricting an individual or entity authorized under state law from obtaining, possessing, transporting within their state, or manufacturing marijuana on behalf of an authorized patient.
- Prevents the DOJ from prohibiting or restricting a pharmacy or other entity authorized under local or state law to distribute medical marijuana to authorized patients from obtaining, possessing, or distributing marijuana to such authorized patients.

### WHAT IT DOESN'T DO

- This act does not protect those who do not have a valid authorization from a physician.
- This act does not affect any Federal, State, or local law regulating or prohibiting smoking in public.