



Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

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California Medical Marijuana Employment Rights Bill Advances *Legislation Moves to Assembly with Committee Approvals, Union support*

An ASA-sponsored bill that would establish employment rights for medical marijuana patients in California advanced through the state Assembly last month. With support from three unions representing nearly 1 million workers in California, AB 2279 passed through both the Assembly's Labor and Employment and Judiciary committees on party-line votes. The bill will be voted on next by the Assembly, before passing to the state senate and then the governor's desk.

The new employment rights bill prohibits discrimination against patients but leaves intact existing state law prohibiting medical marijuana consumption at the workplace and protects employers from liability by allowing exceptions for jobs where physical safety could be a concern.

California joins Oregon and Hawaii in considering laws to protect medical marijuana patients from employment discrimination.

"We're grateful for the support of the state legislature in preserving the rights of patients to work and be productive members of society," said ASA Chief Counsel Joe Elford. "With the jobs of thousands of sick Californians hanging in the balance, we are hopeful that the full Assembly will act in similar fashion to the Labor and Judiciary Committees."

ASA lobbying for the bill helped garner the endorsement last month of the statewide California Labor Federation, Service Employees International Union (SEIU) and the American Federation of State, County and Municipal Employees (AFSCME), all powerful unions whose voices in defense of workers are listened to in California's capital. ASA also secured support from the National Lawyers Guild and several HIV/AIDS advocacy organizations.



Gary Ross

Introduced in February by Mark Leno (D-San Francisco) and sponsored by ASA, AB 2279 is designed to rectify a January ruling by the California Supreme Court that found employers can fire patients for using medical marijuana, even when they are entitled to do so under state law. That landmark case, *Ross v. RagingWire*, was argued before the supreme court by ASA Chief Counsel Elford.



Mark Leno

Assemblymember Leno and the other authors of California's Medical Marijuana Program Act (SB 420) had filed a 'friend of the court' brief

in support of Gary Ross, the engineer who lost his job at RagingWire Telecommunications in 2001 after failing a drug test.

Ross had told his employer that he used medical cannabis on his doctor's advice to treat injuries sustained during his military service, but RagingWire terminated him anyway.

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New Patient Bill in Congress

In other legislative news, a new bill to protect medical marijuana patients is also being considered in Washington, DC. Representative Barney Frank (D-MA) introduced the "Medical Marijuana Patient Protection Act," HR 5842 last month.

The act would change federal policy on medical marijuana in a number of ways. It would reclassify marijuana to make it available by prescription and 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. Bill co-sponsors are Maurice Hinchey (D-NY), Sam Farr (D-CA), Dana Rohrabacher (R-CA), and Ron Paul (R-TX).

Conference on Cannabis Therapeutics a Success *ASA Medical Advisory Board Members Among Scientific Presenters*

Last month, several members of ASA's Medical and Scientific Advisory Board—including Philippe Lucas, Rick Doblin, Ph.D., Robert Melameade, Ph.D., and Jahan Marcu—were among the researchers, physicians and other experts presenting at the Fifth National Clinical Conference on Cannabis Therapeutics, hosted by the national non-profit group Patients Out of Time at Asilomar Conference Center in Pacific Grove, California.

ASA had a booth at the conference and made contact with researchers, doctors and activists from across the country and the world. ASA staff was joined by members, chapters, and affiliates from all over the

country, including representatives from California, Hawaii, Maryland, Missouri, Montana, New Jersey, and North Carolina.

While there, ASA Field coordinator Sonnet Seeborg Gabbard and Carson Higby-Flowers filmed several testimonials of patients and researchers that are posted on ASA's blog at AmericansforSafeAccess.org/VideoTestimonial and on YouTube.

Highlights from the conference include Dr. Donald Tashkin's presentation of various research that demonstrate even long-term heavy cannabis smoking does not increase cancer risk and Dr. Steve Hosea's talk about the need for "evidence-based" medical

cannabis research to underscore our efforts to educate lawmakers and physicians.

Chris Conrad discussed the problems with current cannabis cultivation limits, noting that even California law does not allow patients to produce amounts established by the federal IND program.

Dr. Arno Hazekamp talked about why cannabis tea is one of the two recommended methods of medicinal cannabis consumption by the Dutch government.

Dr. Natalya Kogan from Hebrew University in Jerusalem presented information on the

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ASA Chapter Update: New Jersey

by Ken Wolski, RN, MPA

One of the many active local ASA chapters and affiliates working to defend patients and their caregivers is the Coalition for Medical Marijuana—New Jersey (CMMNJ).

For the past several months, the CMMNJ has been trying to capitalize on the American College of Physicians' January 2008 position paper supporting medical marijuana. Members of CMMNJ have written press releases, letters and OPEDs and sent them to such organizations as the American Medical Association and the New Jersey Medical Society, as well as media outlets—all highlighting this important endorsement of medical marijuana. CMMNJ is using the endorsement of physicians and scientists to keep the issue current in New Jersey and gain national support for rescheduling marijuana from a Schedule I drug to a more appropriate classification.

To stay abreast of the latest research advances, CMMNJ members Ken Wolski and Jim Miller attended the group's Fifth National Clinical Conference on Cannabis Therapeutics last month. The conference brought some of the leading researchers from around the world together with medical marijuana patients and advocates. Both Ken and Jim are on the Advisory Board of the sponsoring group, Patients Out of Time.

CMMNJ is also working with NORML and Drug Policy Alliance to urge citizens to tell NJ

legislators to support the "NJ Compassionate Use Medical Marijuana Act" (S-119 & A-804).

As part of educating the public, CMMNJ members are making their voices heard in the media. Jim Miller had two letters to the editor published in the Asbury Park Press recently. Ken's letter "Smoke Screen to Marijuana Therapy" was published in the Times of Trenton, and Scott Ward's article, "For an MS patient, this drug makes all the difference," was published by the Newark Star Ledger.

CMMNJ also participated in this year's Drug Peace March in Philadelphia on May 3 in conjunction with PhillyNORML.

To enhance its fundraising, CMMNJ has obtained designation as a 501(c)(3) organization by the IRS, so contributions to the group are now income tax deductible. CMMNJ plans to send a letter to supporters as a fundraiser and is also continuing to seek grant money to supplement merchandise sales (t-shirts, wristbands, lapel pins and DVDs).

A special fund-raising event to commemorate the 5th anniversary of the death of Jim Miller's wife Cheryl will be held June 7 at a location in Ocean County, NJ from 2 to 6pm.

CMMNJ has monthly public meetings at the Mercer County Library in Lawrence Township, NJ on the second Tuesday of each month, from 7 to 9 pm. To find out more about CMMNJ, see their profile on Facebook at: www.facebook.com/profile.php?id=502598656.

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potential of CBD, one of the cannabinoids in marijuana, for protecting against an array of conditions from diabetes to Alzheimer's.

Dr. Mark Ware from McGill University in Canada shared his findings from a placebo-controlled clinical trial that showed the effectiveness of higher-potency cannabis in reducing neuropathic pain and increasing quality of sleep.

Dr. Donald Abrams of San Francisco General Hospital and UCSF medical school discussed why cannabis should be part of palliative care and pain management.

Dr. Juan Sanchez-Ramos presented an overview of cannabinoid research on movement disorders such as Parkinson's and Huntington's.

And ASA Medical Advisory Board member Rick Doblin, PhD discussed the struggle to end the federal government's monopoly on the supply of cannabis available for research as a means to expand therapeutic research in this country.

(EMPLOYMENT BILL, continued from page 1)

The legislation that would reverse the Ross decision has moved quickly because Assemblymember Leno and ASA were prepared for an adverse ruling by the court, having begun drafting the bill last year.

In addition to Assemblymember Leno, the bill's co-authors are Patty Berg (D-Eureka), Loni Hancock (D-Berkeley) and Lori Saldaña (D-San Diego).

ASA has received hundreds of reports of employment discrimination in California since 2005. Employers that have been accused of discriminating against patients include Costco Wholesale, UPS, Foster Farms Dairy, DirecTV, the San Joaquin Courier, Power Auto Group, as well as several construction companies, hospitals, and various trade union employers.

More about the bill can be seen online at www.AmericansForSafeAccess.org/AB2279.

ACTION ALERT: Act Now to Protect Medical Cannabis Patients and Caregivers!

Representative Barney Frank (D-MA) along with a small bi-partisan coalition of members of Congress have introduced H.R. 5842, the Medical Marijuana Patient Protection Act. If passed, this legislation would, among other things, reschedule marijuana from a Schedule I to Schedule II drug according to the Controlled Substances Act and provide clearer protections for qualified patients, caregivers, and safe-access sites authorized by state or local law. Take action now to protect patients and their caregivers!

Visit www.AmericansforSafeAccess.org/PatientProtectionAct to write Congress now! Tell your U.S. Representative to support the Patient Protection Act!

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