

July 14, 2015

Dear Members of the Joint Committee on Public Health:

Thank you to Joint Committee Chairs Lewis and Hogan for considering Representative Frank Smizik's House No. 2065, an *Act to protect patients approved by physicians and certified by the Department of Public Health to access medical marijuana*. This bill makes commonsense improvements to Massachusetts's existing Medical Use of Marijuana Program so that patients can have better access to medicine and improved legal protections. As the nation's largest member-based organization devoted to improving patient access and research for medical marijuana therapy, Americans for Safe Access (ASA) strongly endorses this bill.

Patients in Massachusetts currently face the potential for various different types of civil discrimination solely for their patient status. At present in Massachusetts, patients can be denied an organ transplant, lose visitation rights to their child, be denied housing, or even be fired from their job without any showing their medical use of marijuana was creating a negligent or hazardous situation. A growing number of states are adding these types of protections to their laws, with California Governor Jerry Brown signing organ transplant protections into law earlier this month. No patient deserves to be discriminated against for their physician-recommended medical treatment, so ASA strongly supports this legislation and includes provisions similar to those in 2065 in our model legislation.

The bill also wisely lifts certain barriers to patient access. By allowing those with hardship cultivation licenses to purchase seedlings, they will have a better chance at growing a successful and sustainable source of affordable medicine. Additionally, allowing patients who personally cultivate their plants to not have their leaves count against their 60-day supply will make it easier for those patients to maintain a reliable supply of medicine and help make possible juicing the non-psychoactive raw leaves as a therapeutic option. Allowing out of state patients to have access to Registered Marijuana Dispensaries is sound policy, as a reciprocity clause is essentially a mission statement on how the Commonwealth wishes to see it's patients treated when they must travel to other jurisdictions. ASA supports all of these improvements.

Beyond supply issues, the bill helps facilitate access in other ways. Clarifying the hospice and nursing facilities rules on caregiver assistance will help patients with the most severe need for access meet that need. The bill helps other vulnerable patients groups as well by easing needless burdens on pediatric access, which will make it easier for children with seizure disorders to get access to the medicine they need. ASA supports these changes as well.

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We urge the Joint Committee on Public Health to give the House No. 2065 a favorable report. Thank you.

Sincerely,

Michael Liszewski  
Government Affairs Director  
Americans for Safe Access

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