Veterans Equal Access Amendment Vote Shows Progress

On the last day of April, Congress narrowly rejected a bipartisan budget amendment that would have allowed veterans to access medical cannabis with recommendations from their Veterans Health Administration (VHA) physicians. Currently, VHA policy bars physicians from providing the recommendations state programs require for participation.

The Veterans Equal Access Amendment (VEAA), introduced by Representative Earl Blumenauer (D-OR) as the House considered the FY2016 Military Construction and Veterans Affairs Appropriations bill, failed on a vote of 210 in favor, 213 opposed. The identical bill when offered last year attracted 15 fewer votes, though it was then the most any medical cannabis legislation had received in the House.

“We were able to make the case publicly to members and their staff about the inequity of a situation where 213 million Americans live in states where they have access to medical marijuana, yet veterans are denied the ability to be helped by their VA primary care provider,” said Blumenauer in a statement issued after the vote.

Last week, the Appropriations Committee rejected the amendment, voting on party lines after committee Chair Hal Rogers (R-KY) organized opposition, but Representatives Blumenauer, Tom Reed (R-NY), and Dana Rohrabacher (R-CA), who are again sponsoring the measure, reintroduced it when the budget measure came to the floor.

The VEAA would have prevented the VHA from using any funds to punish physicians who write state-legal medical marijuana recommendations. VHA. Directive 2011-004 allows veterans to participate in state medical cannabis programs without being excluded from VHA care, but VHA doctors are still explicitly forbidden from providing recommendations. As a result, any veteran who qualifies for a state program must pay out of pocket for a private medical consultation. This effectively denies access to medical cannabis for veterans who rely solely on VHA healthcare.

Veterans are more likely to suffer from conditions that can be helped by cannabis, such as cancer, multiple sclerosis, neurological disorders, chronic pain, and post-traumatic stress disorders. Currently, 22 veterans commit suicide each day, and an estimated 25 million veterans live with chronic pain.

The bipartisan CARERS act, which has both Senate and House versions currently under consideration, would also lift the gag order on VHA doctors.

New House Bill Would Recognize State Laws

Rohrabacher also sponsored the successful bipartisan amendment to a federal spending bill that currently prohibits the Department of Justice from using funds to interfere in state medical cannabis programs. The DOJ has said the measure does not restrain them from prosecuting individuals who are in compliance with state law. The congressman sent a letter to the Attorney General’s office declaring the DOJ’s interpretation of the law "emphatically wrong."

The new bill would amend the Controlled Substances Act to create an exception to federal law for anyone authorized to use, possess or distribute cannabis under state law.

Washington State Undermines Patient Access

Washington State’s long-standing medical cannabis program has been changed. A new law, SB 5052, purports to harmonize that program with the state’s new market for recreational pot,

The law creates a voluntary registry for patients, eliminates collective gardens that serve more than four patients, and will require patients to buy medicine at recreational marijuana stores that get an endorsement to sell medical cannabis.

Those who have been operating large collective gardens may get priority in obtaining new licenses. Patients who are accepted into the new registry can possess three times more cannabis than recreational users and cultivate six plants at home. Registered patients can also possess 48 ounces of cannabis-infused solids, 216 ounces of liquid and 21 grams of concentrates. Patients who do not register can still cultivate up to three plants, but they can only possess the recreational limit of a single ounce of usable medicine.
Pennsylvania Bill Clears Senate Committee

A bipartisan medical cannabis bill has cleared a key Pennsylvania state Senate committee, with a full Senate vote expected early this month. Senate Bill 3 passed out of the Government Committee by a unanimous vote of 10-0. The committee is chaired by one of the bill’s sponsors, Republican Sen. Mike Folmer, who was a special guest at ASA’s National Unity Conference and Lobby Day in March.

In the last session of the Pennsylvania state legislature, a medical cannabis bill passed the full Senate 43-7 but did not clear the state House. The Senate Government Committee made changes to bill to address House concerns, and more changes are expected before it goes to the floor of the Senate.

Governor Tom Wolf has expressed his support for medical cannabis legislation in the past, and his press secretary said, “The governor believes we should not deny doctor-recommended treatment that could help people suffering from seizures or cancer patients affected by chemotherapy.”

New York Has 30-Day Window for Applications

The New York state Department of Health is now taking applications for businesses seeking licenses to cultivate and distribute medical cannabis, but interested parties have only 30 days to complete them. Each of the five selected cultivators will be authorized to also operate up to four dispensaries for distributing medical cannabis products to registered patients. New York limits cannabis medicines to only non-combustion delivery methods. Applicants for cultivation and distribution licenses must submit detailed plans about their operations and pay both a non-refundable $10,000 application fee and a $200,000 registration fee. The registration fee will be refunded if the applicant is not accepted. An 18-month clock on implementing New York’s medical cannabis law began July 7.

ACTION ALERT: Tell President Obama to Fix the DEA

Tell President Obama he should select a replacement to head the Drug Enforcement Administration who, as he told CNN’s Dr. Sanjay Gupta, “follows the science as opposed to ideology.” Urge the President to set a new course for the DEA today at www.SafeAccessNow.org/new_dea.

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Mail to: Americans for Safe Access, 1806 Vernon Street NW, Washington, D.C. 20009
www.AmericansForSafeAccess.org

The group’s lobbying efforts began with a visit by one of the founders, Dana Ullrich, to the office of her state Senator, Republican Mike Folmer. Folmer surprised her by saying he was already a supporter, but he still needed convincing to sponsor legislation. Ullrich provided the senator with a packet of materials on medical cannabis at that Friday meeting. On Monday, he contacted her to say he had stayed up all night studying the issue and was now on board. Sen. Folmer is now a passionate supporter of safe access and a cosponsor of Senate Bill 3, which is advancing in the Assembly.

The Campaign for Compassion has held numerous education and lobby days. Some members of the state Assembly have urged them to accept a limited, CBD-only bill similar to those that have passed more than a dozen states, but the group is steadfast in seeking a medical cannabis law that allows vaporizing whole-plant medicines and lets physicians decide which conditions medical cannabis may be effective treating.

“We believe everyone deserves a better life, and no one should be left behind,” said Ullrich. The Pennsylvania Campaign for Compassion’s next lobby day is scheduled for May 12. Find out more at the group’s website: www.campaign4compassion.com.