Support the Blumenauer Veterans Equal Access Amendment
to the FY2017 MilConVA Appropriations bill

Amendment Text:
None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011-004 (or directive of the same substance) with respect to the prohibition on “VA providers from completing forms seeking recommendations or opinions regarding a Veteran’s participation in a State marijuana program”.

Current Policy – the reason why veterans are being denied equal access:
Veterans who are reliant on the VHA for their healthcare are denied equal access to state medical cannabis (marijuana) programs. The current VHA policy on medical cannabis, VHA Directive 2011-004, not only prohibits VHA physicians from writing state medical marijuana recommendation forms, it forbids them from even offering discussing the potential benefits of medical cannabis therapy. As a result, this policy denies veterans equal access to state-authorized medical cannabis programs that other patients in these states are able to utilize.

Although VHA 2011-004 was set to expire on January 31, 2016, the VHA has state that the policy remains in effect. Notably, the VHA has said that it is waiting to enact a new policy because it anticipates that Congress will be delivering a new policy:

VHA’s Directive entitled “Access to Clinical Programs for Veterans Participating in State-Approved Marijuana Programs” is currently on hold in anticipation of potential legislative changes which would clarify VA providers’ roles to assist Veterans who wish to participate in state approved programs.¹

What the Amendment does:
- Reintroduced by Rep. Earl Blumenauer, the amendment all VA physicians (1) discuss the potential benefits of medical cannabis therapy with veteran patients; and (2) fill out “recommendation” forms for veteran patients to participate in state regulated medical cannabis programs.
- The amendment would provide that Veterans would no longer be forced outside of the VA system – at their own expense – to seek a simple discuss medical cannabis therapy and obtain a recommendation to participate in a state regulated medical cannabis program
- 41 States (24 comprehensive, 17 “CBD only”), the District of Columbia, Guam and Puerto Rico have some form of medical cannabis law to provide for regulated access and/or legal protections for registered patients
- American Chronic Pain Association has estimated that 25 million US veterans are living with chronic pain
- Approximately 22 veterans per day are committing suicide, many as a result of PTSD
- Traumatic Brain Injury patients using THC had a mortality rate over 4x lower than patients not using THC²
- Similar amendment was pass by the Senate Appropriations Committee with bipartisan support in April, 20-10

What the Amendment does not do:
- The amendment does not require V.A. physicians to violate federal law, as recommending the therapeutic use of cannabis is protected speech under ruling in Conant v. Walters, (9th Cir. 2002) 309 F.3d 629.
- The amendment does not authorize the possession or use of cannabis for any purposes on federal property

Vote **YES** on the Veterans Equal Access Amendment!

¹ Email to ASA from Rebecca Mimnall, Department of Veterans Affairs, Management Analyst, Office of Research and Development, February 9, 2016.