

MEDICAL SOCIETY
of the
STATE OF NEW YORK

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Division of Governmental Affairs
MEMORANDUM IN OPPOSITION

In Senate Health Committee

S. 5657 (SAVINO)

In Assembly Codes Committee

A. 7467 (GOTTFRIED)

AN ACT to amend the public health law, in relation to medical marijuana

This measure would expand the medical program for the use of marijuana. **The Medical Society of the State of New York is opposed and urges that this measure be defeated.**

The bill greatly expands the medical program for use of marijuana by eliminating “serious condition” and its definition of debilitating or condition to just condition and further expands on the list of conditions. Conditions now include: cancer, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, inflammatory bowel disease, neuropathies, Huntington's disease, post-traumatic stress disorder, pain that degrades health and functional capability where the use of medical marijuana is an alternative to opioid use, substance use disorder. The bill now adds Alzheimer's, muscular dystrophy, dystonia, rheumatoid arthritis, autism or any other condition that the practitioner certifies the patient. The use of marijuana to treat many of these conditions lacks scientific study and using marijuana has the potential to exacerbate certain medical conditions.

We are extremely concerned with government legitimizing in statute that a particular treatment is appropriate without scientific review. This is yet another reason why MSSNY supports changing the schedule of marijuana of federal level so that necessary research can be done. While there is increasing evidence to show marijuana as a beneficial treatment for some conditions, there is also significant personal and public health risks as well.

Furthermore, the list of individuals who can certify the patient for use of marijuana has been expanded and now would include dentists and podiatrists and deems a person status as a practitioner as a “license”. It requires that the practitioner undergo a two course as determined by the commissioner of health.

This legislation would authorize the “smoking” of marijuana as a modality for treatment. According to the National Institute on Drug Abuse, “marijuana smoke irritates the lungs, and people who smoke marijuana frequently can have the same breathing problems as those who smoke tobacco. These problems include daily cough and phlegm, more frequent lung illness, and a higher risk of lung infections. Marijuana raises heart rate for up to three hours after smoking. This

effect may increase the chance of heart attack. Older people and those with heart problems may be at higher risk.” As a state and nation, we recognize that there have been serious health consequences with smoking—of any substance. To encourage someone to smoke marijuana, while battling other health issues, will further exacerbate their health issues.

The bill actually encompasses some of the concepts that were in the 2019-20 Executive Budget proposals to legalize recreational marijuana. This legislation is an attempt to further expand the use of marijuana under the guise of a “medical” program.

For all the reasons cited above, the Medical Society of the State of New York opposes this measure and urges its defeat.

Respectfully submitted,

Division of Governmental Affairs

pfc/oppose
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