



## The Texas Compassionate Use Program Should be More Inclusive

**Expand the Texas Compassionate Use Program (T.CUP)** by allowing legal access to cannabis for those with debilitating medical conditions and allow doctors to determine appropriate dosing.

**Establish patient protections** to eliminate the threat of being arrested, prosecution, or penalty in any manner, or denial of any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing. Parental rights should never be denied and students cannot be subject to any form of discipline solely because of possession or use of their medicine.

**Authorize independent laboratories** that would be licensed and regulated, providing consumer protection with regard to potency and contaminants. Establish labeling and packaging standards to promote safety.

**Protect physicians by allowing them to certify patients through the state registry**, rather than “prescribing” cannabis, an action that would jeopardize their registration with the DEA/their ability to prescribe controlled substances. Also, ensuring they may not be denied any right or privilege or be subject to disciplinary action solely for making a written or oral statement that, in the physician’s professional opinion, the potential benefits of the use of cannabis would likely outweigh the health risks; or participating in research programs.

**Medical cannabis access for those with debilitating conditions is not a partisan issue:** Both Texas Republicans and Democrats include in their party platforms include support for medical cannabis.

[Republican Party Platform 2018 - Compassionate Use Act:](#) “We call upon the Texas Legislature to improve the 2015 Compassionate Use Act to allow doctors to determine the appropriate use of cannabis to certified patients.”

[Democratic Party Platform 2018 - Cannabis:](#) “The immediate legalization of medical cannabis use, and ensure coverage for medical cannabis...”

## **Voters support allowing the compassionate use of medical marijuana**

86% percent of Texas voters,<sup>1</sup> and more than 90% of Americans, believe seriously ill patients should be allowed to use marijuana medicinally if their doctors recommend it.<sup>2</sup> The government should not get between a patient and a doctor.

## **68% of Americans live in a state or district with medical marijuana**

Currently 33 states, including conservative states like Utah, Arkansas, North Dakota, Arizona, Montana, Nevada, and Florida — as well as every state surrounding Texas — have workable laws that protect medical marijuana patients from criminal penalties.<sup>3</sup> Texas is not included in this number because its law has a fatal flaw — it requires doctors to illegally “prescribe” marijuana and, like 15 other states, its law is limited to low-THC preparations.

## **The medical community recognizes the importance of access**

Medical marijuana is proven to be effective in the treatment of a variety of debilitating medical conditions. In its 1999 report, the National Academy of Sciences’ Institute of Medicine reported, “Nausea, appetite loss, pain and anxiety are all afflictions of wasting, and can be mitigated by marijuana.” Many other medical organizations and physicians have recognized marijuana’s medical benefits,<sup>4</sup> including:

- The Epilepsy Foundation
- The American Nurses Association
- The American Public Health Association
- The Leukemia & Lymphoma Society
- Arthritis Research Campaign
- The Lymphoma Foundation of America
- The American College of Physicians
- The National Nurses Society on Addictions
- Texas Nurses Association
- The majority of doctors responding to WebMD survey in 2014.<sup>5</sup>

## **Marijuana is less harmful than many prescription medications**

According to the Centers for Disease Control and Prevention (CDC), drug overdose death rates in the United States have more than doubled between 1999 and 2013.<sup>6</sup> In 2013, over 22,500 people died in the U.S. from drug overdoses related to pharmaceuticals.<sup>7</sup> By contrast, medical marijuana is a safer alternative and can even reduce reliance on prescription painkillers. No one has ever fatally overdosed on marijuana.<sup>8</sup>

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<sup>1</sup> Emerson College Poll, April 2019

<sup>2</sup> Quinnipiac University Poll, August 2017, [https://poll.qu.edu/images/polling/us/us08032017\\_Ujm62prt.pdf/](https://poll.qu.edu/images/polling/us/us08032017_Ujm62prt.pdf/)

<sup>3</sup> <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>

<sup>4</sup> <https://www.mpp.org/issues/medical-marijuana/medical-marijuana-endorsements-and-statements-of-support/>

<sup>5</sup> R. Scott Rappold, “Legalize Medical Marijuana, Doctors Say in Survey,” WebMD website, April 2, 2014, <http://www.webmd.com/news/breaking-news/marijuana-on-main-street/20140225/webmd-marijuana-survey-web>

<sup>6</sup> Centers for Disease Control and Prevention. National Vital Statistics System mortality data. (2015) Available from URL: <http://www.cdc.gov/nchs/deaths.htm>.

<sup>7</sup> *Id.*

<sup>8</sup> Collen. “Prescribing Cannabis for Harm Reduction,” *Harm Reduction Journal*, 2012, <http://www.harmreductionjournal.com/content/9/1/1>, citing Carter GT, Flanagan AM, Earleywine M, Abrams DI, Aggarwal SK, Grinspoon L, “Cannabis in palliative medicine: improving care and reducing opioid-related morbidity,” *Am J Hosp Palliat Care*, 2011, 28: 297-303.