Medical Marijuana: Implications for Campus Policy

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Agenda for Session

- A quick summary of where we are in state policy
- A reminder of where federal policy guides us
- The common assessment among policymakers about where all this is going
- Recommendations for addressing marijuana use for colleges and universities in ANY state
- Best practices of campuses in all states
An Overview of the Policy Landscape

- **Medical Marijuana exceptions**
  - Washington
  - Montana
  - New Mexico
  - Michigan
  - Vermont
  - New Jersey
  - Rhode Island
  - Arizona
  - District of Columbia

- **Decriminalization of Marijuana**
  - Nebraska
  - Minnesota
  - Ohio
  - Massachusetts
  - New York
  - North Carolina
  - Mississippi
Both Medical and Decriminalization Policies

- Oregon
- Nevada
- California
- Colorado
- Maine
- Alaska
Medical Marijuana: The Basics

- Laws range in Possession Limits and Acceptance of registry ID cards from states.
  - Most amount allowed: Oregon (24 ounces/24 plants) for medical purposes
  - Allows cards from other states: Arizona, Maine, Michigan, Montana, Rhode Island
- 12 of 15 states require proof of residency to be considered a qualifying patient.
- Home cultivation allowed in all states but New Jersey and District of Columbia.
- Not all states have the same list of “serious conditions” for legal use.
<table>
<thead>
<tr>
<th>STATE</th>
<th>YEAR</th>
<th>FEE</th>
<th>POSSESSION LIMIT</th>
<th>ACCEPTS OTHER STATES</th>
</tr>
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<tbody>
<tr>
<td>Alaska</td>
<td>1998</td>
<td>$25/$20</td>
<td>1 oz usable; 6 plants (3 mature, 3 immature)</td>
<td>unknown</td>
</tr>
<tr>
<td>Arizona</td>
<td>2010</td>
<td>unknown</td>
<td>2.5 oz usable; 0-12 plants</td>
<td>Yes</td>
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<tr>
<td>California</td>
<td>1996</td>
<td>$66/$33</td>
<td>8 oz usable; 18 plants (6 mature, 12 immature)</td>
<td>No</td>
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<tr>
<td>Colorado</td>
<td>2000</td>
<td>$90</td>
<td>2 oz usable; 6 plants (3 mature, 3 immature)</td>
<td>No</td>
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<tr>
<td>DC</td>
<td>2010</td>
<td>*</td>
<td>2 oz dried; limits on other forms to be determined</td>
<td>unknown</td>
</tr>
<tr>
<td>Hawaii</td>
<td>2000</td>
<td>$25</td>
<td>3 oz usable; 7 plants (3 mature, 4 immature)</td>
<td>No</td>
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<tr>
<td>Maine</td>
<td>1999</td>
<td>$100/$75</td>
<td>2.5 oz usable; 6 plants</td>
<td>Yes</td>
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<td>Michigan</td>
<td>2008</td>
<td>$100/$25</td>
<td>2.5 oz usable; 12 plants</td>
<td>Yes</td>
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<td>Montana</td>
<td>2004</td>
<td>$25/$10</td>
<td>1 oz usable; 6 plants</td>
<td>Yes</td>
</tr>
<tr>
<td>Nevada</td>
<td>2000</td>
<td>$150 +</td>
<td>1 oz usable; 7 plants (3 mature, 4 immature)</td>
<td>No</td>
</tr>
<tr>
<td>New Jersey</td>
<td>2010</td>
<td>**</td>
<td>2 oz usable</td>
<td>unknown</td>
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<tr>
<td>New Mexico</td>
<td>2007</td>
<td>$0</td>
<td>6 oz usable; 16 plants (4 mature, 12 immature)</td>
<td>No</td>
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<tr>
<td>Oregon</td>
<td>1998</td>
<td>$100/$20</td>
<td>24 oz usable; 24 plants (6 mature, 18 immature)</td>
<td>No</td>
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<tr>
<td>Rhode Island</td>
<td>2006</td>
<td>$75/$10</td>
<td>2.5 oz usable; 12 plants</td>
<td>Yes</td>
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<tr>
<td>Vermont</td>
<td>2004</td>
<td>$50</td>
<td>2 oz usable; 9 plants (2 mature, 7 immature)</td>
<td>No</td>
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<tr>
<td>Washington</td>
<td>1998</td>
<td>***</td>
<td>24 oz usable; 15 plants</td>
<td>No</td>
</tr>
</tbody>
</table>

SOURC E: ProCon.org
Do Students Have Civil Protections through Medical Marijuana Laws?

- Most states only identify accommodation by employers (and does not require accommodation).
- In most cases, there are no civil protections provided (California tried but had it vetoed). NO states explicitly state accommodation requirements for Universities.
- Maine clarifies federal distinction: “The protections from discrimination by employers, landlords, and schools do not apply if “failing to [penalize the cardholder] would put the school, employer, or landlord in violation of federal law or cause it to lose a federal contract or funding.”
The Federal Trump Card

- Federal government does NOT recognize medical marijuana use and treats it as a controlled substance, regardless of their own level of enforcement.
- Institutions receiving federal funding will still need to comply with federal mandates.
- MANY institutions are using this as the basis of their policies and protection against civil suit.
Where is this all headed?

- **TO MORE ADVOCACY & DEBATE**
  - Those pushing medical marijuana have a broader goal in mind and are pushing hard in all states.

- **TO MORE CONTROL**
  - Several states are rethinking their initiatives or have placed increased controls over how marijuana is dispensed or used.

- **TO A TRULY MEDICAL MODEL**
  - Pharmaceutical companies are producing measurable, dosable medical marijuana that may render this issue moot.
Use of Marijuana Among College Students

- Regardless of state policy, marijuana use is increasing among college students
  - 2009 data:
    - 18.1% of 18-25 year olds reported past month use
    - 17% of college students reported past month use (NSDUH)
    - 91 percent of college marijuana users participate in other high-risk activities such as binge drinking (Harvard School of Public Health)
    - Highest use: Schools considered “very competitive.”
A Closer Look at the Issue

- At many campuses, the penalties for underage possession, use, or distribution of alcohol are FAR greater than those of marijuana.
- Most campuses who are asking are hearing underage students say that marijuana is FAR easier to obtain than alcohol.
- Advocacy for marijuana is at an all time high (pun intended).
- Could they all be right that it’s a better alternative? Harms research on marijuana is inconclusive at best.
Area of critical concern: Policy Updates

- Most university systems HAVE NOT updated their drug and alcohol policies to clarify issues relevant to changes in state policy.

- Why update? Important to specify:
  - Adherence to Federal Policy
  - Clarification of Institutional Intent regarding state policy
  - Opportunity for education and clarification on campus community standards.
No Change to Current Policies:

- Possession, use, and distribution all violate campus policy and are subject to enforcement and adjudication when on campus or associated with college activity.

University of Montana
Revised policy statement May 2010:

Although Montana state law permits the use of medical marijuana, i.e., use by persons possessing lawfully issued medical marijuana cards; federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed in any University of Montana housing or any other University of Montana property; nor is it allowed at any University sponsored event or activity off campus.
Nicholson Case: University of Colorado

- Student was a designated medical marijuana caregiver for his brother.
- CU dropped the charges at threat of a lawsuit, but clarified policy: Not on our campus. We’ll let you out of your housing contract/on-campus living requirement if you need to use or possess for medical purposes.
An Opportunity to Educate

- Several universities are using the heightened attention and student interest to host forums, debates, and discussions that bring researchers, public health officials, marijuana advocates together for educational purposes.

- Increased faculty research and participation has meant new opportunities for student-faculty engagement, but must be fostered and risk must be protected.

- The greatest need: Research on primary and secondary harms from objective sources.
Marijuana use has a firm sentimental position in popular culture, particularly for late Baby Boomers and early Xers who remember the 60’s. Message: This is not your Dad’s weed or “That 70’s Show.”

Like alcohol, the marijuana debate is infused with libertarian consumerism standing opposed to public health legalism. Message: Time to let the objective data about primary and secondary harms do the talking.

Student perceptions about use is shaped by popular culture. Brief Motivational Interviewing is one important way to help students make informed decisions. Media Literacy around the drug helps debunk myths.
Resources

- http://www.higheredcenter.org/high-risk/drugs/marijuana
  From the Higher Ed. Center. Identifies key topics concerning marijuana use at higher education institutions.

- http://www.marijuana-info.org/
  From NIDA. Provides resources for professionals, teens, parents, and community members on a variety of marijuana-related topics.

  From the U.S. Dept. of Health & Human Services and the Substance Abuse & Mental Health Services Administration (SAMHSA). Basic information and additional resources for marijuana use.

  From the Office of National Drug Policy. 2008 Marijuana Sourcebook provides a national overview of marijuana usage.

- http://www.mpp.org/
  The Medical Marijuana Project. Clearly an advocacy group.
Resources (2)

  National Cannabis Prevention & Information Centre (of Australia). Relevant and recent research, publications, information sheets, newsletters, bulletins, and assessment tools you can download for free.

  From the National Institute on Drug Abuse (NIDA). Includes University of Michigan's Monitoring the Future data (2005) and basic info on the extent of use, health effects, and treatment options.

- [http://www.nida.nih.gov/MarijBroch/Marijteenstxt.html#What](http://www.nida.nih.gov/MarijBroch/Marijteenstxt.html#What)
  From the National Institute on Drug Abuse (NIDA). Text version of brochure providing quick facts and FAQ's for teens on marijuana.

  From the Office of National Drug Control Policy. Includes health effects, treatment, legal ramifications, and other resources.