

Why I Oppose Legalizing Marijuana

Pennsylvania Representative Matt Baker

The debate over whether or not to legalize marijuana as medicine has been a very controversial one. The House Health and Judiciary committees have completed a combined series of hearings to further investigate this issue. In 1979, Keith Stroup, founder of NORML (National Organization for Reform of Marijuana Laws), announced at Emory University that the term “medical marijuana” would be used as a red herring to give pot a good name as a first step toward full legalization. It has been a long, patient plan, but obviously working with the financial help of a few billionaires, with George Soros at the helm. Notwithstanding, the following reputable medical organizations and groups are opposed to the legalization of marijuana:

- Pennsylvania Medical Society
- American Medical Association
- American Academy of Family Physicians
- American College of Physicians
- American Psychiatric Association
- American Academy of Pediatrics
- American Academy of Neurology
- American Epilepsy Society

- National Multiple Sclerosis Society
- American Society of Addiction Medicine
- American Cancer Society
- American Glaucoma Foundation
- National Eye Institute
- American Academy of Ophthalmology
- American Lung Association
- American Academy of Child and Adolescent Psychiatry
- National Institute for Neurological Disorders and Stroke
- Pennsylvania State Nurses Association opposes Senate Bill 3
- Pennsylvania Society of Anesthesiologists
- Pennsylvania Allergy and Asthma Association
- Pennsylvania Neurosurgical Society
- Robert H. Ivy Society for Plastic Surgeons
- Pennsylvania Society for Pulmonary Disease
- Pennsylvania Rheumatology Society
- Pennsylvania Chapter of the American College of Cardiology
- Pennsylvania Occupational and Environmental Medical Society
- Pennsylvania Academy of Otolaryngology
- Pennsylvania Chapter of the American College of Physicians
- Pennsylvania Chapter American College of Emergency Physicians

These groups, by and large, encourage further testing and research of marijuana and do not support its legalization outside the Food and Drug Administration (FDA) approval process.

After hearing all the hard evidence and heavily weighing the testimony from these reputable medical organizations and other groups, I continue to oppose the legalization of medical marijuana in the Commonwealth.

Marijuana is currently classified and defined by federal law as a Schedule I drug under the Federal Controlled Substances Act, which defines marijuana as having a high potential for abuse, no currently accepted medical use in the United States, and lacking safety for use under medical supervision. The FDA considers marijuana an illegal drug, classified in the same category as heroin, LSD, ecstasy and bath salts and; therefore, the FDA does not define marijuana as medicine but rather an illegal and harmful drug. The American Epilepsy Society stated in a letter to the Health Committee that it does not recommend legalization of artisanal cannabidiol (CBD) marijuana oils, “We urge you and your fellow committee members to delay adoption of new cannabis legislation and to continue to support and encourage new research...” “A study by a team from Children’s Hospital Colorado..., found that artisanal ‘high CBD’ oils resulted in no significant reduction in seizures in the majority of patients,” and that “not a single pediatric neurologist in Colorado recommends the use of artisanal cannabis preparations.” The organization concluded that, “We urge you and your fellow committee members to delay adoption of new cannabis legislation and to continue to support and encourage new research.” It is significant to note that the Children’s Hospital Colorado have cared for the largest number of cases of children with epilepsy treated with cannabis in the U.S.

Even if legislation were to pass to legalize marijuana in Pennsylvania, it would still be illegal under federal law pursuant to the Federal Controlled Substance Act.

Although most doctor and medical groups do not view marijuana as medicine, they do believe derivatives of marijuana can be potentially approved as medicine by the FDA, such as Marinol and Cesamet, which have been approved and are used to help cancer and HIV patients. Two other potential new medicines that are being developed, subject to FDA clinical trials, that are derivatives of cannabis, are Sativex and Epidolex. Hopefully, the FDA will approve these drugs soon to treat cancer pain and epileptic seizures. If these medicines meet safety and efficacy tests, the FDA will approve them, doctors will be able to prescribe them and pharmacies will be able to dispense them.

Marinol and Cesamet are medications that have been rigorously tested and approved by the FDA for the treatment of certain ailments. It is my fervent hope that the FDA conducts further testing on marijuana derivatives in various formulations and determines if this is, or is not, a chemical that can be used to treat certain illnesses beyond the limited compounds from marijuana that have currently been approved by the FDA.

However, I find no hard evidence at this time for legalizing marijuana in formulations other than those already approved by the FDA. In fact, my research and discussions with those in the medical community suggest there are very real and substantiated concerns as to the use of whole marijuana should it become legal. Growing marijuana, converting it to oils and other products and then selling it locally and statewide as “medical marijuana” I believe, per the documented testimony proffered to our joint Health and Judiciary committees, will usher in many challenges and concerns, including:

- Product safety.

- Quality control.
- Packaging and labeling.
- Drug diversion, drug abuse, and drug addiction.
- Conflict with federal law.
- Increased crime.
- Dispensaries being located possibly too close to schools, day care centers, churches and parks.
- Lack of local control and zoning issues.
- Increased costs to human services, law enforcement, and drug treatment facilities.
- Increased drugged driving and vehicle accidents.
- Increased emergency room and hospital admissions.
- Increased efforts to bypass FDA approval process for other Schedule 1 illegal drugs or new drugs being developed.

The Pennsylvania Health Care Cost Containment Council revealed that in the last three years there were a total of 72,880 hospital admissions with a diagnosis of marijuana dependence and abuse. The National Association of Drug Court Professionals have stated that emergency room mentions for marijuana use now exceed those of heroin and are continuing to rise per The Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Behavioral Health Statistics and Quality. According to the White House Office of National Drug Control Policy, marijuana is the most abused drug in the United States.

The approval of a drug that could be given to children and those dealing with any number of ailments is an awesome responsibility to place on lawmakers, and it is not one that can or should

be made based solely on emotion or anecdotal information. For that reason, medical groups, such as those listed above, oppose legalization of marijuana outside the FDA approval process.

In the United States, all medications must undergo strict FDA approved clinical trials that include extensive randomized, peer reviewed double-blind studies to prove they are safe, effective and produce more benefits than risks. Interestingly, some medications already in use overseas and approved by European regulators are still required to pass muster with the FDA before they can be used here, a practice universally accepted by U.S. physicians and researchers.

There is a substantial amount of misleading information, causing many to believe that marijuana is harmless and is a panacea and miracle drug for a plethora of medical diseases, when the substantiated medical research that has been conducted up to this point simply does not support these claims. That's why the leading professional medical organizations do not support legalization of marijuana outside the FDA approval process.

As a lawmaker, it is not my place to do an end run around the FDA and legalize artisanal drugs that people can grow, make products from and then sell for Commonwealth citizens to take, all without approval of the FDA, and outside what current medical practice allows. Central regulatory oversight by the FDA makes possible the recall of harmful drugs or contaminated batches and the dissemination of new information about drug safety. Medicines should undergo strict FDA clinical trials and an approval process to ensure they are safe and effective, prescribed by a doctor, and dispensed by a pharmacist. The good people of Pennsylvania deserve medicine that is proven to be safe and effective for both children and adults and is supported by the medical community and approved by the FDA and is not illegal under federal law.

As chairman of the House Health Committee, I believe that I have consistently shown that I care deeply about the health and well-being of the people of this great state. I want only the best medicine that is proven to be safe and effective for our children and my heart breaks for both children and adults that have to endure serious medical conditions. I used to work in a law firm as a Disability Advocate representing the disabled before federal administrative judges for over 12 years and I have seen much suffering but I am also grateful for the good and great medicine that has been proven to be both safe and effective and approved by the FDA to have more benefits than harm. Medicine should be left to the medical and scientific experts and not politicians.

About the Author

Matt Baker is currently serving his 13th term in the Pennsylvania House of Representatives, representing all of Tioga County and parts of Bradford and Potter counties. He has more than 35 years of knowledge and experience of public service and state government with him as a state representative.

In the House, Baker serves as majority chairman of the House Health Committee and is a member of the Rules Committee. Representative Baker has been recognized by many organizations for his many accomplishments during his tenure including legislation to combat the spread of substance abuse.

Conflict of Interest

I declare that I have no proprietary, financial, professional or other personal interest of any nature or kind in any product, service and/or company that could be construed as influencing the position presented in, or the review of, the manuscript entitled *Why I Oppose Legalizing Marijuana*.