



The 2011 Legislators' Guide to Medical Cannabis

A Comprehensive Guide to Understanding Medical Cannabis in the State of Montana

Legislative Goal

- Appropriate and valid impairment testing for medical cannabis patients and all Montanans regarding DUI and job safety issues

Issue: Driving under the influence (DUI)

Ideally the Legislature would request from a crime lab or other entity scientific proof of intoxication. THC can be in someone's system for up to 25 days after utilization of medicinal cannabis. The affect of some strains as outlined in the support material contained in the full version of *The 2011 Legislators' Guide to Medical Cannabis* show very low THC content yet traces remain in the person's system. This is a national issue as well and requires a careful scientific approach to be fair and accurate.

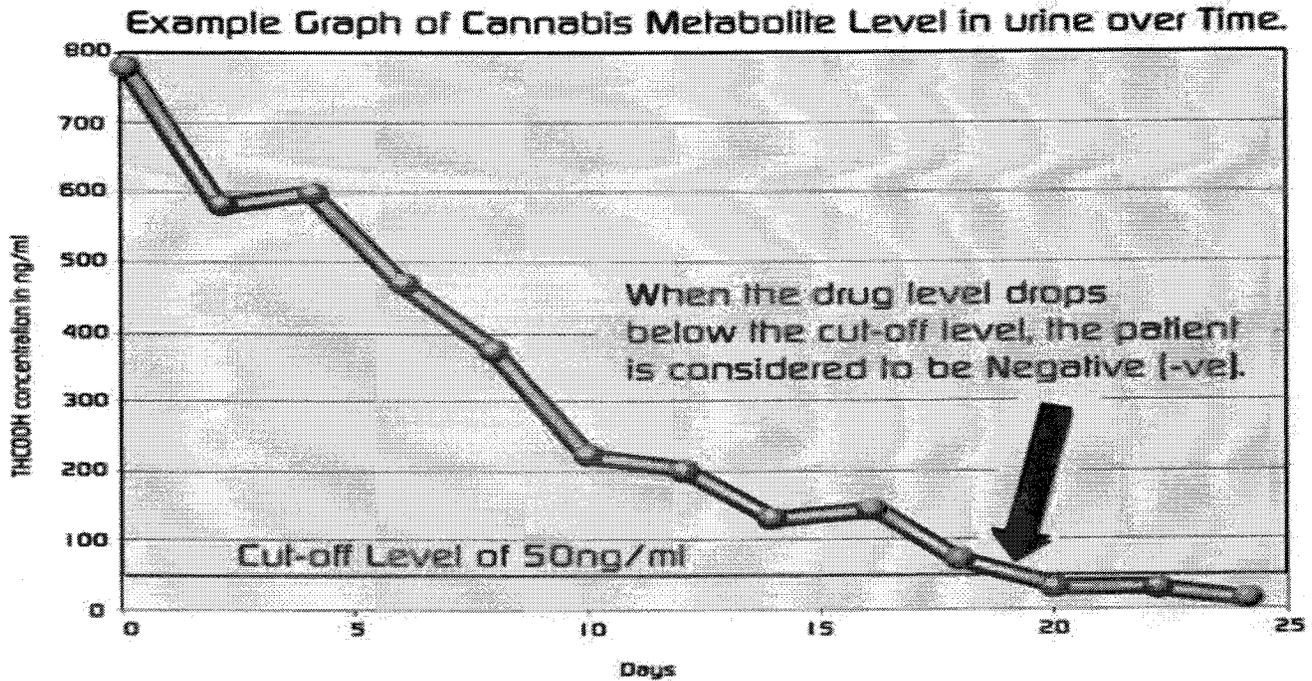
This issue requires research to help determine when any individual that has used medicinal product is no longer able to operate a motor vehicle.

Recommendation:

Administrative

1. Require the Montana State Crime Lab to work with industry specialists to establish an accurate testing protocol and outcome analysis regarding levels of impaired driving performance specific to medical cannabis including varying tests for different strains of medicinal product.

Dispelling Misinformation & Rumor



An individual who has used medical marijuana is significantly impaired

Driving while impaired by any substance is a serious issue in Montana and must be addressed legislatively. Currently there is no scientifically acceptable medical cannabis impairment test to determine whether a patient is capable of driving a vehicle. Current testing methodology can show that medical cannabis is in the individual's system, but that does not indicate if they are impaired. The chart above shows how medical cannabis may indicate a positive test result based on available testing methods. It is estimated that the physical effect of smoking medical cannabis may be minimal two-to-three (2-3) hours following usage but may appear in current testing protocols for as long as 30 days following medication. The effect of using medical cannabis is unlike the effect of alcohol consumption. Different cannabis strains possess unique characteristics which cause varying reactions in patients. An employee who tests positive for having consumed medical cannabis may actually have consumed it at some time in the past month, but is not necessarily impaired. Currently no impairment test exists to accurately measure the effects of medical cannabis. Employers should establish performance standards for all employees and routinely provide performance evaluation for all employees regardless of whether they may be a medical cannabis patient, on pharmaceuticals, or simply to see if they can perform their job to the standards set.

The complete *2011 Legislators' Guide to Medical Cannabis, A Comprehensive Guide to Medical Cannabis in the State of Montana* is available by visiting www.solutions4montana.org.