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[Workers' Comp](#)

# Medical Marijuana: Comparing and Contrasting Clinical and Legislative Insights

## Event Details

When: May 6, 2020 @ 8:00PM EDT To: @ Where: [Online Event](#)

**As many states move to legalize medical and recreational marijuana, what do you need to know about its potential clinical benefits and uses, along with its impact on workers' compensation?**

## Summary

[Medical marijuana](#) continues to be a hot topic in state legislatures in 2019. Nineteen states are looking at legislation related to medical marijuana, while eleven others are considering legalizing recreational use. Despite this movement on the legislative front, we still do not have much insight into the efficacy or long-term side effects of marijuana. How might this contradiction impact the future of marijuana in workers' compensation? What do you need to know about major issues such as legalization, reimbursement and clinical efficacy? Brian Allen, VP of Government Affairs, and Dr. Mitch Freeman, Chief Clinical Officer, provide insight into these topics.

## Marijuana Legalization

From a legislative perspective, medical marijuana is quickly being legalized across the country. Between 1996 and the beginning of 2019, more than 30 states have legalized the drug for medical purposes. Nineteen states are currently considering legislation related to their medical marijuana programs. Additionally, several states have moved to legalize recreational marijuana and eleven more are considering bills to legalize in 2019. While states are pushing forward with legalization, the federal government still considers marijuana a Schedule I drug. Allen expects that Congress will act in 2019. Allen says, "With the change in Congress because of the midterms and just the change in attitude on a national level on this issue, I suspect Congress is going to do something."

## Clinical Issues with Marijuana

Dr. Freeman points out there are two major issues to focus on when looking at the clinical side of marijuana: efficacy as a treatment and side effects or adverse reactions. Due to marijuana's current status as a Schedule I drug, we don't have much insight into either one of these topics since clinical studies are limited. However, with [Epidiolex](#) recently being approved by the FDA, we may see greater access to study marijuana's efficacy and side effects. Dr. Freeman expects that Epidiolex's current indications will be expanded as more is understood about the drug. He says, "I do see them probably using that medication and studying its effects on other disease states; perhaps chronic pain, which would impact our industry quite significantly." Once formulations are FDA approved for other indications, providers will be able to write prescriptions and patients will likely be able to access the drugs through federal health programs. Importantly, if these indications are expanded and FDA approved, patients will be able to pick up their prescriptions in a pharmacy. Dr. Freeman says, "This is an added level of safety because you can look for drug interactions, fraud and abuse, those types of issues, if it's consolidated and dispensed from a typical pharmacy instead of a dispensary."

## More States Move Forward with Marijuana Legalization

Despite a lack of clinical evidence, many states are pushing forward with legalization. Allen says this may be because of anecdotal stories and shifting public opinion. The major challenge, though, is the challenge is between state and federal laws. Allen says, "We need studies. If we're going to legalize this in all these states, the federal government needs to decide that they're either going to enforce current law or they're going to abandon it and do something. I think the studies will be helpful." Another issue that may have played a significant role in marijuana legalization is the opioid crisis. Allen says, "I think there is a hope that the use of medical marijuana will reduce opioid deaths. I don't know if there is any evidence of that so far. We don't really know what the impact is going to be long term."

## Additional Indications for Medical Marijuana

Chronic pain is one major indication that people are looking to medical marijuana to treat. PTSD, insomnia and other indications are also anecdotally being considered. Dr. Freeman says, "Once we can study these and determine the true efficacy of these compounds and medications being used for these indications, I think we'll be much better off and have clearer insight into both the effectiveness of these compounds as well as the side effects."

## Reimbursement for Medical Marijuana

If medical marijuana is legal in a state, do insurers or employers need to pay for it? [Some states require reimbursement for medical marijuana](#), but insurers may be hesitant to pay since it is illegal on the federal level. Dr. Freeman says, "Typically, our recommendation is to reimburse the injured worker or the patient [rather than pay] for medical marijuana, but not to pay a dispensary directly for the marijuana."

## Predictions for Marijuana in 2019

Brian Allen points out that courts are beginning to weigh in on reimbursement for marijuana. Many courts are split on these decisions, some requiring insurers to reimburse, while others have said that reimbursement is not legal due to the drug's federal illegality. Allen says, "I think something is going to happen with medical marijuana nationally this year. I think it's high time to make that happen because this conflict is really creating problems across the country and it's clogging up the courts with a lot of needless litigation over an issue that

could be easily solved on a federal level." Dr. Freeman predicts that the legalization of recreational marijuana will continue to spread across the country. He also thinks that medical marijuana will run its course, making way for products created by drug companies and FDA approved, with clear efficacy and side effects.

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