

QUESTIONS AND ANSWERS ABOUT MAINE'S MEDICAL MARIJUANA LAW

1. What conditions can marijuana be used to treat?

Under the law physicians may recommend marijuana to patients diagnosed with any off the following conditions:

"A. Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, nail-patella syndrome or the treatment of these conditions;

B. A chronic or debilitating disease or medical condition or its treatment that produces intractable pain, which is pain that has not responded to ordinary medical or surgical measures for more than 6 months;

C. A chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia or wasting syndrome; severe nausea; seizures, including but not limited to those characteristic of epilepsy; or severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis;"

In the future, the Department of Health and Human Services may approve the use of marijuana to treat additional conditions.

2. Why recommend marijuana when comparable pharmaceuticals like Marinol are available?

Marinol is a synthetic version of delta-9-THC approved for use to treat nausea associated with chemotherapy and loss of appetite associated with AIDS.

Some patients who have responded well to marijuana have reported that Marinol has caused them to experience paranoia and has exacerbated their nausea. There is speculation that other compounds in the marijuana plant may mitigate these side effects when whole plant extracts are used.

Delta-9-THC is just one of many medicinally useful compounds found in marijuana. Other compounds play significant roles in decreasing muscle spasms and reducing pain. Marinol is not likely to prove effective for patients with muscle spasms, seizure disorders, or pain disorders. Whole plant marijuana extracts may help these patients.

3. I would like to recommend marijuana to a patient but I am concerned about the health effects of smoking any plant material.

Your patient could use a vaporizer which heats the plant matter to a high enough temperature to allow it to release vapors without releasing particulate smoke.

Alternately, a patient could ingest marijuana extracted into butter or other other fats, oil, alcohol, or glycerin.

3. What do state and federal law say about physicians recommending marijuana to their patients?

In 2004, the U.S. Supreme Court ruled in *Conant v. Walters* that physicians have a First Amendment right to recommend marijuana to their patients.

Maine state law further states that physicians may not be prosecuted, sued, or subjected to

professional discipline simply for recommending marijuana to patients in medically appropriate cases.

However, under state law physicians are not allowed to provide marijuana directly to patients unless they are designated as those patients' primary caregivers.

4. What is the formal process for recommending marijuana to a patient?

After discussing the risks and benefits of marijuana with your patient it is strongly suggested that you complete a "PHYSICIAN'S WRITTEN CERTIFICATION OF ELIGIBILITY FOR MEDICAL USE OF MARIJUANA." [This form is available online at http://www.mainepatientsrights.org/patient_eligability_form.pdf](http://www.mainepatientsrights.org/patient_eligability_form.pdf)

5. Where can I learn more about medical marijuana in Maine?

Maine Citizens for Patients Rights will be holding a conference, "Medical Marijuana in Maine: Beyond Question 5," on February 20 in Portland, Maine. This will be a great opportunity to connect with patients, caregivers, patient advocates, and other physicians and learn more about how the new law medical marijuana law will work. For more information e-mail info@mainecommonsense.org

6. Is there a directory of physicians in Maine who work with medical marijuana patients?

Maine Citizens for Patients Rights is creating a directory of physicians who are open to working with medical marijuana patients. If you would like to be listed in this directory please e-mail [info@mainecommonsense.org/](mailto:info@mainecommonsense.org)