

# HR 2835: MEDICAL MARIJUANA PATIENT PROTECTION ACT INTRODUCED BY CONGRESSMAN FRANK

## PURPOSE

The **Medical Marijuana Patient Protection Act** would provide clear protections for individuals who use or provide medical cannabis in accordance with their state law.

## SUMMARY

HR 2835 would reschedule marijuana under the Controlled Substances Act (CSA). This means that marijuana would be reclassified from a Schedule I drug, which prohibits use even for legitimate medical purposes, to a Schedule II drug. The Act would also prevent interference by the federal government in any local or state run medical marijuana program.

HR 2835 would also provide protection from the CSA and the federal Food, Drug, and Cosmetic Act (FDCA) for qualified patients and caregivers in states that have legalized the use of medical marijuana.

## WHAT IT DOES

- HR 2835 reclassifies marijuana from a Schedule I drug to a Schedule II drug, which would recognize the medical value of marijuana
- HR 2835 prevents the CSA and FDCA from prohibiting or restricting a physician from prescribing or recommending marijuana for medical use
- HR 2835 prevents the CSA and FDCA prohibiting or restricting an individual from obtaining, possessing, transporting within their state, manufacturing, or using marijuana in accordance with their state law
- HR 2835 prevents the CSA and FDCA prohibiting or restricting an individual authorized under State law from obtaining, possessing, transporting within their state,

or manufacturing marijuana on behalf of an authorized patient

- HR 2835 prevents the CSA and FDCA prohibiting or restricting an entity authorized under local or State law to distribute medical marijuana to authorized patients from obtaining, possessing, or distributing marijuana to such authorized patients

## WHAT IT DOESN'T DO

- This act **does not** protect those who do not have a valid recommendation or prescription from a physician.
- This act **does not** affect any Federal, State, or local law regulating or prohibiting smoking in public.

## FACTS

- 13 states, representing nearly 72 million Americans (or 28% of the country's population), currently authorize the use of marijuana for medical purposes
- Three of these 13 states – California, New Mexico, and Rhode Island – control and regulate safe access to medical cannabis for individuals approved under state law
  - Since 2007, four FDA approved, double-blind, placebo controlled clinical trials have confirmed that cannabis is effective in treating neuropathy, a type of pain that does not respond to other drugs
- In 2007, the American College of Physicians (ACP) published a position paper which strongly urged protection from criminal or civil penalties for patients who use medical cannabis with a physician's recommendation. The ACP is the largest medical specialty organization and second largest physician group in the United States