

## **HIV MEDICINE ASSOCIATION**

### **Policy Statement on Medical Marijuana: Medical Use and Research Approved 10/30/06**

The HIV Medicine Association (HIVMA) represents more than 3,400 physicians, scientists and other health care professionals who practice on the frontline of the HIV/AIDS pandemic. HIVMA strongly supports the development of public policies based on science.

We are aware of the following regarding medical marijuana:

- Eleven states have a law that permits the use of marijuana when recommended by a physician.
- Legal access to marijuana for specific medical purposes has been endorsed by numerous other national organizations, including the American Academy of Family Physicians, the National Academy of Sciences' Institute of Medicine, the American Public Health Association, the American Nurses Association, and the Lymphoma Foundation of America.
- A ruling by the Ninth U.S. Circuit Court of Appeals reaffirmed the right of physicians and patients to discuss the therapeutic potential of marijuana, but patients who follow their physicians' advice are put at risk for up to one year in federal prison for possession of marijuana, and up to five years in federal prison for growing one marijuana plant, because federal law does not distinguish between medicinal and recreational use.
- The controversy over the medical use of marijuana could be resolved by conducting scientific research approved by the Food and Drug Administration (FDA).
- Federal research on medical marijuana use has been limited by a number of actors, including the National Institute of Drug Abuse's (NIDA's) monopoly over the production of marijuana for research, as well as through the Drug Enforcement Administration's (DEA's) refusal to license other marijuana production facilities, even though DEA-licensed, facilities produce other Schedule I drugs.

Given the statements listed above, the HIV Medicine Association strongly supports the following:

- In states where patients are permitted to use marijuana medicinally for serious and/or chronic illnesses and a patient's physician has recommended its use in accordance with that state law and that state's medical practice standards, the patient should not be subject to federal criminal penalties for such medical use.
- Well-designed and scientifically rigorous research, including all FDA-approved Phase II and Phase III clinical trials that lead to investigation into the potential therapeutic role and commercial licensure of prescription marijuana should be encouraged, and that production facilities that meet all regulatory requirements should be licensed by the DEA to produce pharmaceutical-grade marijuana for use exclusively in federally approved research.