

Editorial for Thursday, January 28, 2010

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Allow marijuana for the sick

The state took a positive step forward in 2003 when it essentially decriminalized the medical use of marijuana, but a bill introduced in this legislative session would make it easier for patients to obtain marijuana for treatment without having to get it from street corners or the black market.

Then Gov. Robert Ehrlich, a Republican, took a lot of heat from the federal government when he signed the Darrell Putman Compassionate Use Act in 2003. That law reduced the penalty for possessing medical marijuana or paraphernalia to a \$100 fine. The Bush administration at the time had directed the Justice Department to vigorously enforce drug laws and specifically targeted states that had reduced or eliminated laws regulating the use of marijuana for medical purposes.

The Bush administration took their battle all the way to the Supreme Court as it fought states' rights to govern themselves.

President Barack Obama ended the practice last October, saying that the federal government should not be using its limited resources to attempt to prosecute sick people whose only crime is trying to get something to ease their pain in states with laws governing the medical use of marijuana.

The Putman bill had broad bipartisan support in the Maryland legislature, with 56 lawmakers signing on as sponsors. Among those voting against the bill were Sen. Larry Haines, R-District 5 and delegates Susan Krebs, R-District 9B and Nancy Stocksdale, R-District-5A.

While there are concerns about abuse should the law pass, those concerns should not rise to the level of denying sick people access to drugs that could help ease their pain. Lawmakers wouldn't ban the use of morphine or other pain killers, so it is difficult to understand why they would stand in the way of this bill.

Under the proposal, the Department of Health and Mental Hygiene would be tasked with selecting and monitoring authorized growers and dealers to distribute marijuana to pharmacies or other licensed dispensing centers. Patients also are required to have ongoing treatment from a certified physician.

While there are still issues to resolve concerning how it all would work, and work effectively, that is do reason to dump the plan entirely.

David Brinkley, R-District 4 and a sponsor of the bill, summed it up rather well when he said he didn't believe that people who were trying to gain some relief from their pain, whether it is acceptable to everyone else or not, should be prosecuted.