

Commentary

March 9, 2009

Barack Obama on Medical Marijuana

President Barack Obama is thoughtful and deliberate. During the presidential campaign, he commented on the issue of medical marijuana. The formal policy position of his administration on medical marijuana will be determined over the coming months, after his team is in place at the White House Office of National Drug Control Policy (ONDCP). In the meantime, his words on the campaign trail are instructive.

The supporters of medical marijuana are picking and choosing to interpret what he said without presenting his words in context. Mr. Obama, for whom words are important, was asked by a Willamette Week reporter, "Would you stop the DEA's raids on Oregon medical marijuana growers?" Obama replied, "I would because I think our federal agents have better things to do, like catching criminals and preventing terrorism. The way I want to approach the issue of medical marijuana is to base it on science, and if there is sound science that supports the use of medical marijuana and if it is controlled and prescribed in a way that other medicine is prescribed, then it's something that I think we should consider."

Mr. Obama addressed this issue again in March, 2008, telling an editorial page editor of the Medford Mail Tribune, "When it comes to medical marijuana, I have more of a practical view than anything else. My attitude is that if it's an issue of doctors prescribing medical marijuana as a treatment for glaucoma or as a cancer treatment, I think that should be appropriate because there really is no difference between that and a doctor prescribing morphine or anything else."

Further he said, "I think there are legitimate concerns in not wanting to allow people to grow their own or start setting up mom and pop shops because at that point it becomes fairly difficult to regulate. Again, I'm not familiar with all the details of the initiative that was passed [in Oregon] and what safeguards there were in place, but I think the basic concept that using medical marijuana in the same way, with the same controls as other drugs prescribed by doctors, I think that's entirely appropriate..."

"I would not punish doctors if it's prescribed in a way that is appropriate. That may require some changes in federal law. I will tell you that – I mean I want to be honest with you – whether I want to use a whole lot of political capital on that issue when we're trying to get health care passed or end the war in Iraq, the likelihood of that being real high on my list is not likely... What I'm not going to be doing is using Justice Department resources to try to circumvent state laws on this issue simply because I want folks to be investigating violent crimes and potential terrorism. We've got a lot of things for our law enforcement officers to deal with."

These are not the words of someone who has endorsed smoked marijuana as a medicine. It is unlikely that President Obama will tell the Drug Enforcement Administration (DEA) to stop enforcing the law. Mr. Obama said that as President he will follow the science, and further that should science demonstrate that smoking marijuana is a medicine, he would want it to be treated like an actual medicine, meaning as a physician's prescription that is filled by a pharmacist for a medicine that is approved by the Food and Drug Administration (FDA).

Three central questions will be involved in the review of this issue by President Obama and the White House Office of National Drug Control Policy:

- 1) **Is smoke a safe and effective means of drug delivery?** If it is, why doesn't the FDA approve smoking for other "medicines?" Why are there no countries in the world that approve smoke as a means of drug delivery for any "medicine?" Why did the Institute of Medicine a decade ago, when considering medical marijuana, reject smoke as a way to deliver drugs except in an extremely narrow set of circumstances and then for only 6 months?
- 2) **Are state and local ballot initiatives an appropriate way to approve medicines?** The careful science-based review of safety and efficacy is vital to the nation's health. Why should smoked marijuana not be subject to this time-tested system of drug approval? If smoked marijuana passes that test (which is all but impossible from a scientific perspective), why should smoked marijuana be made available in any way other than within the closed distribution used for other prescribed medicines with abuse potential, as Barack Obama said "like morphine."
- 3) **Is it good public health policy to have drug approval at a state's discretion -- even when a drug is not approved by the FDA?** Under current law, states can be more restrictive than the federal government, meaning they can limit drugs that the federal government approves, but states cannot approve medicines that the federal government has not approved. Is it wise to overturn this established body of law?

After this review I believe that President Obama and his team in the White House as well as in the Departments of Justice and Health and Human Services will answer each of these three questions with a resounding "No."

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