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## Pharmacy board supports medical marijuana

By TONY LEYS • tleys@dmreg.com • February 18, 2010

State regulators offered some hope Wednesday for people who want to use marijuana for medical purposes.

The Iowa Board of Pharmacy voted unanimously to recommend legislators reclassify the drug in a way that could allow people to use it for pain, nausea and other symptoms from diseases such as cancer, AIDS or multiple sclerosis.

If that happened, Iowa would join 14 other states that have legalized medical marijuana. But Iowans should not expect legal marijuana shops to open soon.

Legislators probably will not consider the idea until at least next year.

Under the pharmacy board's proposal, the state first would set up a task force, including patients, medical professionals and law enforcement officers, to recommend a limited medical-marijuana system.

Pharmacy board members said they want to ensure that only patients with legitimate medical needs could get the drug.

"Without adequate controls, we would have mayhem," said board Vice Chairwoman Susan Frey, a Villisca pharmacist.

Marijuana supporters clapped and cheered after the vote.

"This is a big thing. This is momentum," said Carl Olsen of Des Moines, one of the main proponents.

The 6-0 vote came after a morning of discussion in which board members expressed mixed feelings.

An Iowa Poll published this week in The Des Moines Register found that 64 percent of Iowans support allowing patients to use marijuana if their doctors approve. But board members said they were not swayed by the poll.

"This isn't like running for prom queen," said Margaret Whitworth, a board member from Cedar

Rapids.

Board Chairman Vernon Benjamin, a Fort Madison pharmacist, said he believes marijuana is no more addictive than alcohol or prescription narcotics. He also said marijuana's lure to young people probably is enhanced by the fact that it is illegal.

He said the state's classification of marijuana as a Schedule I drug, the most restricted kind, could dissuade much-needed research on it.

Frey expressed reservations about medical marijuana. She said that current pharmaceutical medications based on marijuana offer the same benefits, despite the critics' claims that they are not as good. She said leaf marijuana has a wide variety of strengths and chemical components.

"As a health professional, I would have a difficult time recommending that therapy, because I couldn't guarantee the patient would get the same effects every time," she said.

Frey also raised the specter of the experiences in California, which has some of the most lenient medical-marijuana rules. Law officers there complain that people have been able to obtain the drug easily without proving a legitimate need.

In the end, however, Frey agreed with colleagues that the Legislature should take a serious look at the issue.

Medical-marijuana bills for Iowa are considered dead for the 2010 session, but proponents hope the

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pharmacy board's recommendation gives the issue momentum for next year.

Sen. Joe Bolkcom, D-Iowa City, one of the Legislature's leading proponents of the idea, said the pharmacy board's vote and the Iowa Poll results should help persuade lawmakers to give it significant discussion.

He said he hoped the task force recommended by the board could be formed this year and bring recommendations to the Legislature next year. He said the state should not have a wide-open medical-marijuana system.

"We need to try to figure out what would work in Iowa," he said.

Rep. Clel Baudler, R-Greenfield, a former state trooper, expressed surprise at the pharmacy board's vote.

"I thought they were smarter than that," he said.

Baudler dismissed the medical-marijuana movement as a sham, pushed by people who want to get high. He joked that he plans to go to California this summer, stop by a medical-marijuana shop and claim he needs the drug for his artificial knee or for depression.

"Then I'll lie about having hemorrhoids so I can get medical marijuana for hemorrhoids and get smoke blown up my rear end," he said.

Although using less colorful language, the pharmacy board had expressed reservations last year about medical marijuana and declined to give it much discussion. But proponents sued, and a judge ruled that the board had to consider the matter. The board then held four hearings around the state, at which most speakers favored medical marijuana.

The American Civil Liberties Union of Iowa, which pressed the lawsuit, said Wednesday it probably would drop the case in the wake of the board's vote. Randall Wilson, the group's legal director, estimated the chances of the board's recommendation leading to legal use of medical marijuana at "50-50."

During Wednesday's meeting, pharmacy board staff members noted a decades-old section of Iowa law

giving the board authority to set rules allowing medical uses of marijuana. But several board members said they thought legislators should decide the matter.

Proponents agreed, noting that any board rules would have to be approved by legislators anyway.

Federal law now prohibits marijuana, but the Obama administration has said it would not prosecute people for using or dispensing the drug if they followed state medical-marijuana laws. Under federal law, physicians are not permitted to prescribe the drug. However, states with medical-marijuana laws usually have doctors sign notes saying they approve of their patients' use of it.

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