

RECREATIONAL MARIJUANA POSITIONS

65.985 MSSNY Opposes Recreational Marijuana Legalization

The Medical Society of the State of New York opposes recreational marijuana legalization. (HOD 2015-166)

65.986 Treatment Rather than Arrest for Marijuana Possession

The Medical Society of the State of New York supports promotion of drug treatment to those arrested or fined for marijuana related offenses and encourages communities to develop programs that emphasize drug treatment and rehabilitation rather than criminalization of marijuana. (HOD 2015-165; HOD reaffirmed in lieu of 2017-152)

75.978: Oppose Legislature Approval of Smoked Medical Marijuana

MSSNY reaffirms the process in which medications in the USA are regulated and approved by the FDA and not by state legislative action; opposes any process that entrusts the state legislature with the function of approving medications; reaffirms the fact that medication preparation needs to be strictly regulated by the FDA to assure safety, purity and effectiveness; and opposes, except for the terminally ill, any smoking formulation for medical marijuana as a delivery system for medication unless the FDA approves that delivery system. (HOD 2013-157)

MEDICAL MARIJUANA POSITIONS

75.979 Medical Marijuana:

MSSNY will take a leadership role in the development of any regulations resulting from the passage of state legislation pertaining to medical marijuana and also request the American Medical Association's assistance in seeking a reversal of the Executive Order pertaining to the prosecution of physicians who prescribe or advise medical marijuana, legally under state statute. Also, a copy of this resolution is to be transmitted to the American Medical Association for its consideration. (HOD 2009-173)

75.984 Medical Use of Marijuana/Synthetic Cannabinoids:

MSSNY encourages additional research on the use of cannabinoid products in the treatment of illness and the relief of human suffering without penalty. (HOD 2007-151; Modified and Reaffirmed HOD 2017)

75.987 Medical Marijuana:

MSSNY adopts as policy that the use of marijuana may be appropriate when prescribed or certified by a licensed physician solely for use in alleviating pain and/or nausea in patients who have been diagnosed as chronically ill with life threatening disease when all other treatments have failed, that the physicians who prescribe marijuana for patient use, subject to the conditions set forth above, shall not be held criminally, civilly or professionally liable and that it supports continued clinical trials on the use of marijuana for medical purposes. Also, MSSNY to (1) recommend to sponsors of legislation that the use of medical marijuana should not be utilized in patients who suffer solely from psychiatric conditions; and (2) continue to work with members of the State Legislature and the New York State Department of Health to ensure that any legislation that is passed contains limits on certification time frames and provides a sunset to the law. (HOD 2004-169) (Council 11/4/04 considered an editorial change but tabled action until the 2005 HOD at which time the resolution would be introduced as Old Business.) (Reaffirmed HOD 2009-173) (Reaffirmed and amended Council 12/9/10)

270.963 Clarification from US Department of Justice Regarding Federal Enforcement of Medical Marijuana Laws.

The Medical Society of the State of New York will urge the American Medical Association to seek clarification from the United States Justice Department about possible federal prosecution of physicians who participate in a state operated marijuana program for medical use and provide guidance to physicians based on this clarification.

270.966 Immunity from Federal Prosecution for Marijuana-Prescribing Physicians

The Medical Society of the State of New York will ask the American Medical Association to support legislation ensuring or providing immunity against federal prosecution for physicians who prescribe marijuana in accordance with their state laws. (HOD 2015-164)