

Federation of State Medical Boards
House of Delegates Meeting
April 30, 2016

Subject: Physicians' Use of Marijuana

Introduced by: FSMB Board of Directors

Approved: February 2016

Whereas, Twenty-four (24) States, plus the District of Columbia and Guam, have enacted laws permitting physicians to recommend marijuana in managing certain medical conditions and seventeen(17) states permit the limited use of cannabidiol (CBD) oils in patient care;

Whereas, Four (4) states and the District of Columbia have legalized the adult use of marijuana and several other jurisdictions are considering similar efforts;

Whereas, Marijuana is currently classified in federal law as a Schedule 1 substance under the Controlled Substance Act;

Whereas, The Federation of State Medical Boards' (FSMB) model policy, *Essentials of a State Medical and Osteopathic Practice Act* (HOD 2015), includes the "habitual or excessive use or abuse of drugs, alcohol or other substances that impair ability" in its definition of unprofessional conduct;

Whereas, There is known difficulty in determining and monitoring the amount of marijuana that would impair a physician's ability to practice medicine;

Whereas, Practicing medicine under the influence of marijuana may constitute unprofessional conduct or incompetence;

Therefore, be it hereby

Resolved, That, given the lack of data supporting clinical efficacy and difficulty evaluating impairment, state medical and osteopathic boards advise their licensees to abstain from the use of marijuana, for medical or recreational purposes, while actively engaged in the practice of medicine; and be it further

Resolved, That the FSMB model policy, *Essentials of a State Medical and Osteopathic Practice Act*, Section IX, Disciplinary Action Against Licensees, D(19) be amended to include "marijuana" in the list of substances that impair ability.

MANAGEMENT FISCAL NOTE:

No additional financial impact beyond proposed FY2017 budget.