



House Bill 378 – Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers

House Health & Government Operations Committee

February 19, 2020

The Maryland Academy of Physician Assistants (MAPA) is the official constituent organization of the American Academy of Physician Assistants (AAPA) representing all practicing physician assistants (PAs) in the state. The MAPA is requesting a favorable report on HB 378 to allow PAs to become certifying providers for medical cannabis.

Medical cannabis is legal in 33 states, including Maryland, and has been used effectively to treat a variety of conditions that include, but are not limited to, Alzheimer’s disease, side-effects of chemotherapy, epilepsy, chronic debilitating migraine, post-traumatic stress disorder (PTSD), schizophrenia, muscle spasms in multiple sclerosis and chronic pain. It is not a first-line therapy, and it is usually reserved for treatment-refractory conditions that do not respond to more “standard” therapies. Despite its increased acceptance in the medical community, PAs in the state of Maryland are not allowed to certify or prescribe medical cannabis to the patients that they serve.

From a historical perspective, the MAPA was willing to step away from the original legislation that listed only physicians as potential certifying prescribers in an effort to facilitate passage of the bill and allow more medical studies to be performed to establish this pharmacotherapeutic agent as a viable alternative therapy. Since the legalization of medical cannabis, more and more evidence supports the utilization of medical cannabis as an alternative therapy. Additionally, certified nurse practitioners, who share a similar scope of practice, have been allowed to become certifying providers without any issues. PAs share the scope of practice with their supervising physicians, and the prescribing of medical cannabis would be considered a delegatable duty under current law. PAs have been safely prescribing medications under this model for 20 years, and they have the education and training to do so effectively in collaboration with their physician partners. With the need for care exceeding the number of available providers, especially in underserved areas, PAs should be considered a resource for their patients with respect to this legalized medical therapy. Instead, the current restriction on PA prescribing often results in patients having to be referred elsewhere or denied access to available treatments, leading to patients seeking alternatives that include the use of illegal street drugs that are often contaminated with other more deadly substances. Additionally, continuity of care is disrupted which can often lead to bad outcomes.

In the 2015 decision by the United States Supreme Court regarding *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, 574 U.S., anti-trust legislation was upheld when the dentistry board attempted to restrict the use of teeth-whitening agents to dentists, only. The MAPA believes that the prescribing of legalized medical cannabis by PAs falls within the purview of the profession, is supported by current laws that outline the PA’s scope of practice, and is considered “best practice” in promoting continuity of care and legal oversight of alternative therapies for difficult-to-treat medical conditions.

The Maryland Academy of Physician Assistants thanks the Committee members for consideration of House Bill 378 and requests a favorable report.

Respectfully,

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