



## **HB 614 – Workers’ Compensation – Medical Cannabis – Compensation and Benefits – Favorable**

Medical cannabis is legal in Maryland, and is currently being recommended by health care providers to treat patients with chronic pain. Many injured workers are using it instead of opioids and other narcotic pain medicine. Yet, under Maryland’s Workers’ Compensation law, it is unclear whether it is a covered medical expense. As a result, some Commissioners have ordered workers’ compensation insurers to pay for medical cannabis, while others refuse.

HB 614 ensures that injured workers’ whose health care providers recommend medical cannabis can get the medicine their doctor believes will help treat on the job injuries.

MAJ supports the bill because there are a number of safeguards to address any potential abuse/legal issues.

1. Each and every doctor visit, diagnostic test and prescription has to be approved, in advance, by the workers’ compensation insurance company. Translation – the workers’ compensation insurance companies, if they believe medical cannabis is not the right medicine, or they sense the claimant is trying to get it for recreational purposes, will simply refuse to approve it. The denial generates a hearing, where lawyers for each side, the claimant and the insurance company, submit reports from medical experts and argue their respective positions.

**Bottom Line:** The workers’ compensation insurance company only has to pay for medical cannabis if, after a hearing, the Commissioner agrees with the claimant and his treating doctors, and disagrees with the insurance company’s doctor.

2. Cannabis is illegal under Federal law. Other states, including Washington, D.C. do not require workers’ compensation insurers to make payment directly to vendors. Rather, they require that the carrier reimburse the claimant. That the claimant has to go out of pocket, then get reimbursed, discourages abuse.