



**LEGISLATIVE POSITION:**

**UNFAVORABLE**

**Senate Bill 461**

**Workers' Compensation – Medical Cannabis – Compensation and Benefits**

**Senate Finance Committee**

**Thursday, February 18, 2021**

Dear Chairwoman Kelley and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

SB 461 seeks to prevent a covered employee or a dependent of a covered employee from receiving workers' compensation benefits if an injury or occupational disease was caused solely by the effect of medical cannabis.

Our primary concerns with SB 461 are:

1. It does not change existing law. A provision already exists in 9-506 to argue intoxication as the **sole** cause of an accident to prevent claimants from receiving benefits.
2. It is virtually impossible for employers to prove that cannabis consumption (medical or illicit) is the **sole** cause of an accident because there is no metric for testing cannabis intoxication.
3. Even if the use of the medical cannabis while working when the injury occurred was under the direction of a medical provider, there is no regulated way to prescribe it according to type or dose, thus making a determination of **sole** nearly impossible.

The Maryland Chamber of Commerce greatly admires the intent of this legislation; however, we respectfully request an **unfavorable report** on SB 461.