



March 11, 2026

To: Distinguished Members of the House Economic Matters Committee

RE: Testimony in support of HB 797

From: Paul Armentano, Deputy Director – National Organization for the Reform of Marijuana Laws (NORML): Washington, DC (paul@norml.org)

My name is Paul Armentano. I am a Maryland resident who has worked professionally in cannabis policy for over 30 years. I currently serve as the Deputy Director of NORML – the National Organization for the Reform of Marijuana Laws, a nationwide public interest advocacy organization.

I have authored numerous books on cannabis, health, and public safety and my writing has been featured in over two dozen academic anthologies, as well as in the *New York Times*, the *Washington Post*, the *Wall Street Journal*, and many others. I have testified on cannabis-related policy issues before Congress,¹ the United Nations,² and several other academic and legislative bodies.

I possess an extensive understanding of how the body metabolizes cannabis and I have testified as an expert witness in numerous state and federal court cases specific to cannabis and drug testing. I helped create one of the first smartphone applications³ designed to identify cannabis-induced impairment. I worked alongside representatives of the International Association of Firefighters (IAFF) Local 2000 (Howard County, MD) in their successful local efforts⁴ amending countywide workplace drug testing policies for firefighters and other rescue workers who consume medical cannabis in compliance with state law. I also assisted Annapolis lawmakers in amending⁵ the city's workplace drug testing regulations so that those public employees who consume cannabis while away from the job no longer face undue discrimination.

¹ *Developments in State Cannabis Laws and Bipartisan Cannabis Reforms at the Federal Level*, November 15, 2022.

<https://www.youtube.com/watch?v=Fkus1FygCQ4>

² 68th Session on Narcotics at the United Nations: DUI and Traffic Safety Policies in the USA, Vienna, Austria, 2025.

³ <https://norml.org/blog/2015/07/15/canary-app-permits-marijuana-consumers-to-gauge-their-personal-performance/>

⁴ <https://www.cbsnews.com/baltimore/video/howard-county-firefighters-aim-for-statewide-off-duty-marijuana-use/>

⁵ <https://citizenportal.ai/articles/6673343/Annapolis/Anne-Arundel-County/Maryland/Annapolis-committee-backs-ordinance-to-remove-cannabis-from-most-city-employee-drug-tests>



I offer support today for HB 797, which prohibits employment discrimination against firefighters and other rescue workers solely for their use of medical cannabis while off the job.

Over 100,000 residents are registered in Maryland to legally access medicinal cannabis products.⁶ This includes firefighters and other rescue workers who typically consume it to mitigate symptoms of chronic pain, post-traumatic stress, and other serious health conditions. Patients who take traditional medications – including opioids, benzodiazepines, and other therapeutics that may temporarily influence mood or judgment – do not face punishment in the workplace unless their on-the-job performance is impaired. Patients who consume medical cannabis during their off-hours should be treated equally.

Specifically, Maryland firefighters should not face disciplinary actions for testing positive for marijuana metabolites on a urine test. That's because urine testing does not determine whether someone is impaired, nor can it determine when someone was last exposed to a controlled substance. In fact, the cannabis-specific compounds identified in urine tests are not even psychoactive. As recognized by the federal Department of Justice: "A positive test result, even when confirmed, only indicates that a particular substance is present in the test subject's body tissue. It does not indicate abuse or addiction, recency, frequency, or amount of use, or impairment."⁷

Because THC's primary metabolite is fat soluble, it is detectable for weeks or months post-abstinence⁸ -- long after any psychoactive effects have worn off. For these reasons, many jurisdictions have abolished the use of these discriminatory tests in the workplace. These include California, Connecticut, the District of Columbia, Montana, Michigan, Minnesota, New Jersey, New York, Nevada, and Rhode Island. Numerous municipalities, both in Maryland and nationwide, have also done so, including Albuquerque (New Mexico), Annapolis (Maryland), Atlanta (Georgia), Baltimore (Maryland), Cleveland (Ohio), Frederick County (Maryland), Philadelphia (Pennsylvania), and Pittsburgh (Pennsylvania). Following the abolishment of their cannabis-related urine testing policies, none of these jurisdictions has seen any decline in workplace safety or performance.

That's because firefighters and others in safety sensitive positions are assessed on whether they are fit for duty prior to beginning their shifts. These assessments are made every day in the real world by managers and other officers, using objective metrics. Nothing in the language of

⁶ Data provided by the Maryland Medical Cannabis Commission, as of March 2025.

⁷ US Dept. of Justice. Drugs, Crime, and the Justice System: A National Report from the Bureau of Justice Statistics, page 119.

<https://books.google.com/books?id=ybkZs0i3ELoC&pg=PA119&lpg=PA119&dq=#v=onepage&q&f=false>

⁸ Mushoff and Madea. Review of biological matrices (urine, blood, hair) as indicators of recent or ongoing cannabis use. Therapeutic Drug Monitor 28: 2006. Full text reposted at:

https://norml.org/wp-content/uploads/pdf_files/Review_biological_matrices_indicators_cannabis_use.pdf



this bill limits managers and others the ability to conduct these assessments, nor is there any language in this bill that would impede employers the ability to sanction any employee who reports to work under the influence.

Finally, I wish to highlight to the members of this Committee the existence of cognitive performance testing, which unlike urinalysis, possesses the ability to determine if a subject's performance is deviating from their standard baseline. These include commercially available tools like Predictive Safety's AlertMeter⁹ or Impairment Science's DRUID app.¹⁰ This technology, unlike urinalysis or blood testing, gauges employees' actual performance versus their own personal baseline – thereby providing an accurate determination of whether someone is impaired on the job. The adoption of this technology offers an additional tool for employers to gauge their employees' cognitive fitness while they are on the job.

Medical cannabis has been a legally accepted therapeutic option in Maryland for well over a decade. In December, the President of the United States acknowledged¹¹ that that the federal government must “recognize that marijuana can be legitimate in terms of medical applications,” and he issued an executive order directing the US Attorney General to reclassify it federally. Many patients, and firefighters especially, utilize this vital therapy as an alternative to opioids and potentially more habit forming and mood-altering alternatives. Firefighters and other rescue workers should not face repercussions in the workplace for their off-the-job use of this legitimate medicine. Let's end the ongoing discrimination against firefighters and others who rely on medicinal cannabis. I urge you to join your Senate colleagues and pass House Bill 797.

⁹ <https://predictivesafety.com/alertmeter/>

¹⁰ <https://www.impairmentscience.com/>

¹¹ <https://www.whitehouse.gov/presidential-actions/2025/12/increasing-medical-marijuana-and-cannabidiol-research/>