

# Written Testimony in Support of SB0439

## Employment Discrimination – Fire and Rescue Public Safety Employees Use of Medical Cannabis

Before the Maryland Senate Finance Committee  
February 19, 2026



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### Key Points in Support of SB0439

- Prevents employment discrimination based solely on lawful, off-duty medical cannabis use.
- Does not permit on-duty use, impairment, or any relaxation of fitness-for-duty standards.
- Recognizes medical cannabis as a safer alternative to opioids for sleep, pain, trauma, and certain cancer-related symptoms common in the fire service.
- Reflects policies already implemented in multiple fire departments and public agencies without negative safety outcomes.
- Supports workforce retention, readiness, and overall public safety.

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Chair Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee,

My name is Matt Johnson, and I am a career fire lieutenant and union officer in Maryland. I would like to start by thanking this Committee for its favorable consideration of last year's version of this legislation, SB1023, including the bipartisan support demonstrated by Senators Mautz and Ready. I respectfully submit this written testimony in strong support of SB0439, which addresses employment discrimination against fire and rescue public safety employees who lawfully use medical cannabis under Maryland law.

Firefighters routinely face physical and psychological stressors that are unique among professions and accumulate over the course of a career. Chronic musculoskeletal injuries, disrupted sleep, cumulative trauma exposure, and post-traumatic stress injuries are not exceptions in our line of work; they are common realities. Historically, the primary tools available to manage these conditions have been opioids, benzodiazepines, alcohol, or simply "pushing through it." None of those approaches have served our workforce well.

Medical cannabis, when used responsibly and off duty, has emerged as a safer and often more effective option for many firefighters. It is being used to improve sleep quality, reduce chronic pain, and manage trauma-related symptoms without the risks associated with opioids or other sedating prescription medications. It is also used by many patients to manage cancer-related symptoms such as pain, nausea, appetite loss, and sleep disruption, concerns that are especially relevant in a profession with elevated occupational cancer risk.

Importantly, SB0439 does not permit on-duty use, impairment at work, or any relaxation of fitness-for-duty standards. Nothing in SB0439 prevents an employer from enforcing existing policies, investigating reasonable suspicion, or removing a member from duty when there is evidence of

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impairment or unsafe performance. Firefighters and fire officers are already trained to recognize and act on signs of impairment from any cause, whether medical, physical, psychological, or chemical. Firefighters remain fully accountable to existing reasonable suspicion, post-incident, and performance-based policies.

What SB0439 addresses is a gap in protection that currently allows firefighters to be disciplined or terminated solely for lawful, off-duty medical cannabis use, even when there is no evidence of impairment or job performance issues. This disparity is compounded by the reality that standard drug tests can reflect prior use rather than current impairment, which is why performance and fitness-for-duty must remain the standard. This creates a clear and unjust disparity: firefighters may lawfully use prescribed opioids off duty with employment protections, yet can lose their careers for using a state-authorized medical treatment that is often safer and less impairing.

Other jurisdictions have already demonstrated that these protections can be implemented responsibly. Departments that allow off-duty medical cannabis use under clear policy frameworks have not experienced increases in accidents, misconduct, or operational failures. Instead, they report improved morale, better sleep, and healthier personnel. These outcomes align directly with public safety goals.

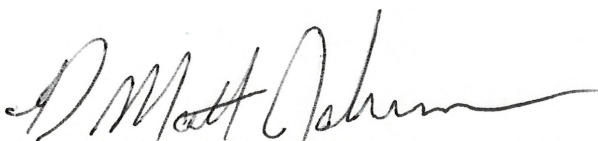
From an employer perspective, SB0439 also supports workforce stability. Fire departments across Maryland face recruitment and retention challenges, particularly among experienced personnel. Terminating trained firefighters for lawful medical treatment does not improve safety and can worsen staffing strain, institutional knowledge loss, and overtime pressure.

As firefighters, we are entrusted with immense responsibility and held to exceptionally high standards. We accept strict standards, high expectations, and constant accountability. What we ask in return is fairness and consistency. SB0439 provides that balance by protecting lawful medical decisions made off duty while preserving every tool departments need to ensure operational readiness and public safety.

I respectfully urge the Committee to issue a favorable report on SB0439.

Thank you for your time, your consideration, and your continued commitment to the health and safety of Maryland's first responders.

Respectfully submitted,



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