



Maryland House Cannabis Referendum Legalization Workgroup

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National Safety Council

Eliminating leading causes of preventable death and injury so that people can live their fullest lives

Focusing efforts where we can make the biggest impact

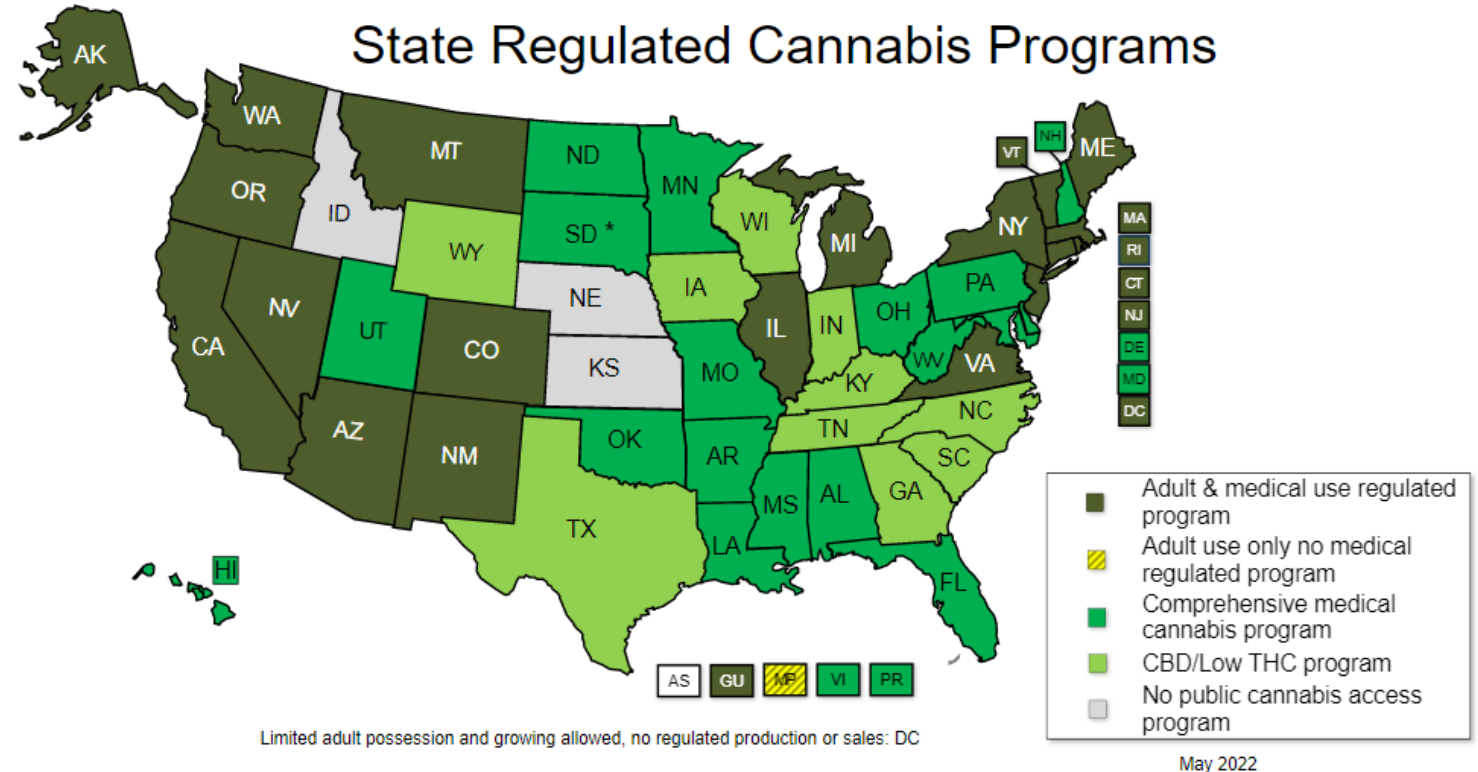
- **workplace**
- **roadway**
- **impairment**

Cannabis Legalization


37 states + D.C + 3 territories
have comprehensive medical
use laws

19 states + D.C. + 2 territories
have adult use laws

13 states Low THC/CBD laws



Cannabis Legalization Impacts



The Impact of Cannabis in the Workplace

NSC surveyed 500 employers and 1,000 employees.
Here's what we found:

Cannabis is a workplace safety risk

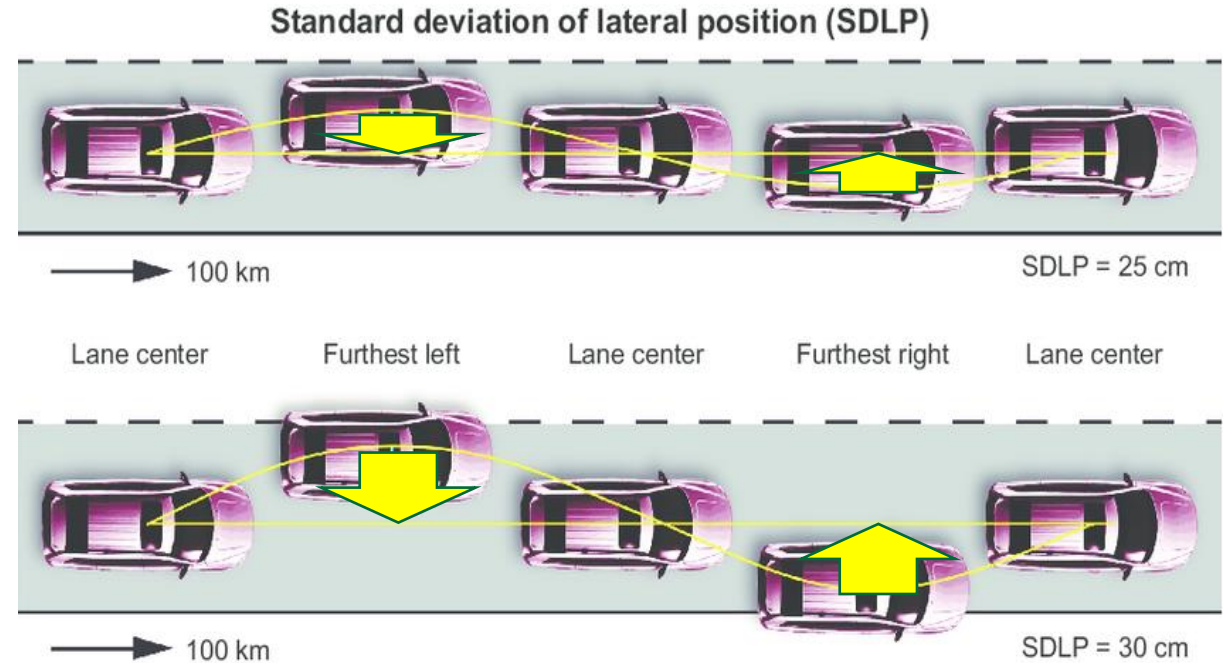
- One third of employees say they've observed usage during work hours
- Those in safety-sensitive positions report observing cannabis usage more than those in non-safety-sensitive positions
- More than half of employers that eliminated THC testing reported seeing an increase in incidents or other workplace performance concerns

The infographic features a green header with the title, a central green circle with a cannabis leaf, and a blue footer with a warning icon and survey findings. The background includes a light blue sky with clouds.



What is impairment?

- No BAC for THC
 - Supervisor training
 - Oral fluid and urine testing
 - Hair testing



Chesapeake Chapter Activity

- Prioritize Safety on roads and in workplaces
 - LEOs
 - Supervisors
- Ensure access to quality workers
- Understand impairment through green labs
- Support research programs



Chesapeake Region Safety Council

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**CHESAPEAKE REGION
SAFETY COUNCIL**



CRSC IS:

- A 99-year-old independent Chapter of the National Safety Council, based in Baltimore County.
- An OSHA Training Institute Education Center, covering the above states and West Virginia, Pennsylvania.
- A successful, private, non-profit, non-governmental organization.

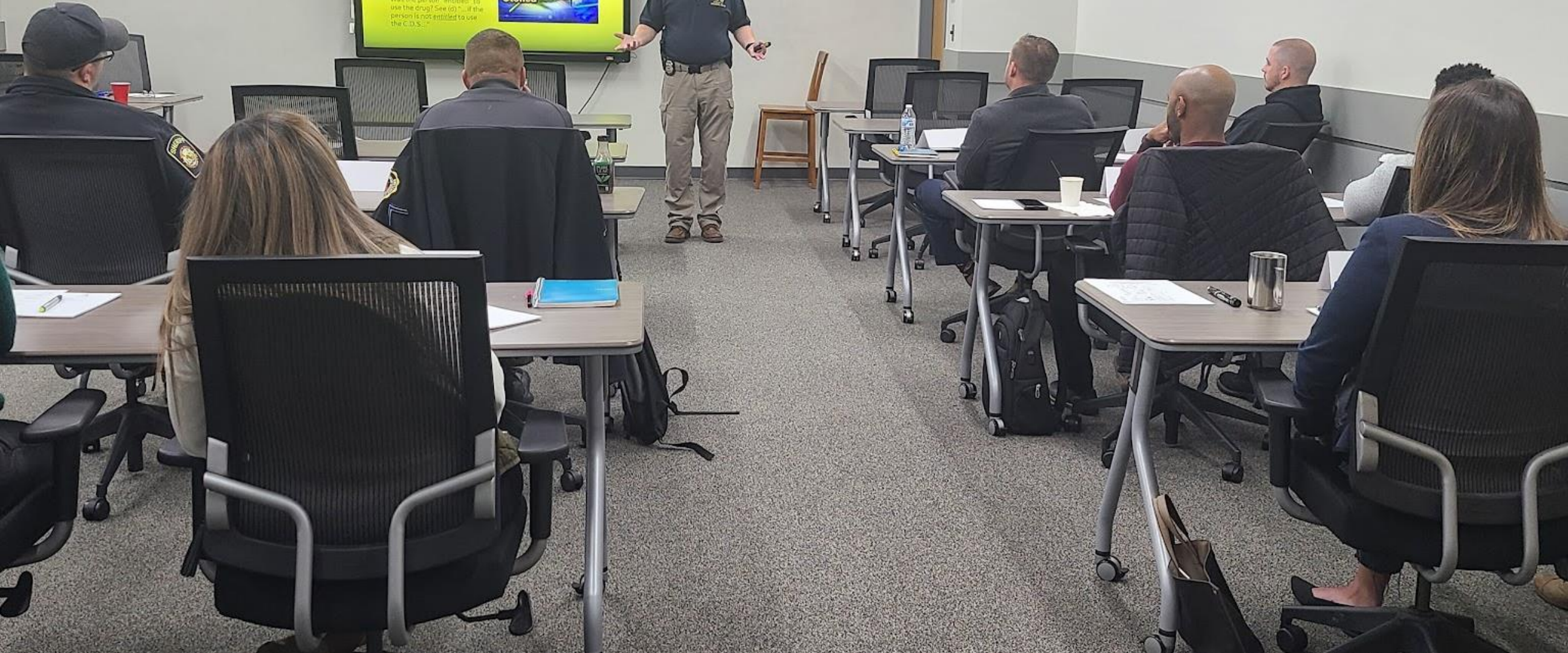
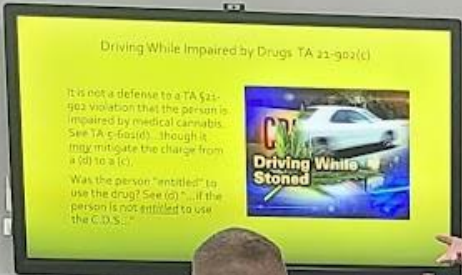
CRSC's Impairment Education, including Free Cannabis-related Efforts:

- Trainings (often taught concurrently)
 - Reasonable Suspicion Course for Safety Sensitive Positions, meeting DOT training requirements for CMV operators/safety-sensitive positions
 - Impairment Education Course
 - Law Enforcement Course (Cannabis 101, taught by Balt. Co. P.D)

- Green Labs/Workshops (attended by students in above classes) are the first in the country directed to workplace safety. Others taught are for law enforcement officers.
 - Started in mid-2019, with twelve held to date
 - Conducted at least quarterly, partnering with Medical Cannabis CardHolders
 - Messaging – Helping employers and safety professionals understand the difference between signs of use and signs of impairment.







Duration of Effects

ol/Marino]	30 – 60 minutes
	2 – 4 hours
te Stimulant	Up to 24 hours









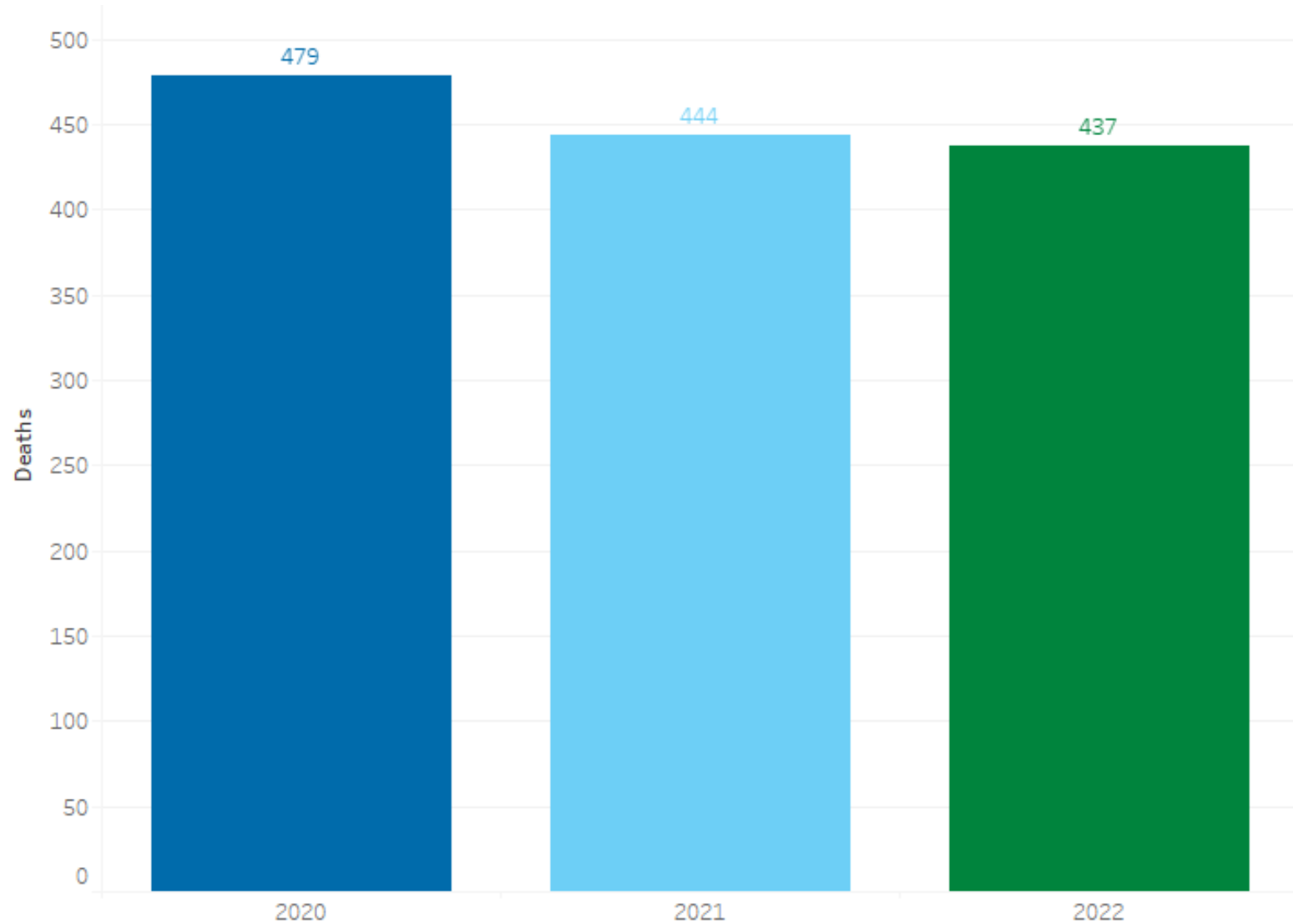


NAME	HGN	VGN	LOC	PUPIL	ROM	WAT	OLS	FTN	T	BAC	DRIVE	WORK
RIC	Ø	Ø	N	5.0	6 valid Tremors	2	1	39C 18%	Ø	Ø	N/Y	Y
EMMY	6 2	Ø	Y N	4.5	24 22 2" way 34 secs	6 3	3 1	Ø Ø	11.5 shot 25%	2 TEQUILA .006	N	N
MAC	2 Ø	N	YY	3.5	23 29 Tremors	2 2	1 0	Ø Ø PAOS B. Trem.	19@ 28%	2 slots .00	N	
NEIL	Ø	Ø	N	6.5	33 secs TREM	Ø	1	Ø	VAAS/DABS 80% 10-15 mg	Ø	N/Y	Y
JAKE	Ø	Ø	Y	4.5	38 secs Trem	Ø	Ø	Ø	1/4-1/3g 336%	Ø	Y	
SHERRI	Ø	Ø	Y	3.5	48 secs Tremors	4	3					



Maryland Road Deaths thru October 2020-2022

2020: 479
2021: 444
2022: 437



Marijuana Impaired Driving Data

- Drivers killed in crashes have THC positivity at 2x higher rate than pre-legalization ([AAA study](#))
- Positive THC tests for dead drivers increased 138% after legalization. ([DEA study](#))
- Crash rates increase after legalization ([IIHS study](#))

Roadway Policy Solutions

- Noah's law
- .05 BAC
- No THC per se limit
- Improved testing (oral fluid)
- Better toxicology data (THC testing for fatalities)
- Passive vehicle technology
- Improved training for legal system

Compound	Frequency of labs listing in top 15
THC and metabolites	62
Alprazolam/alpha-hydroxyalprazolam	57
Cocaine and metabolites	57
Methamphetamine	56
Diazepam/nordiazepam	48
Clonazepam/7-aminoclonazepam	45
Fentanyl	45
Amphetamine	43
Hydrocodone	34
Morphine	34
Oxycodone	34
Diphenhydramine	30
Lorazepam	26
Zolpidem	23
Methadone	22
Gabapentin	21
Codeine	18
Buprenorphine/norbuprenorphine	15
Tramadol/O-desmethyltramadol	14
Phencyclidine (PCP)	12

Source: <https://academic.oup.com/jat/advance-article/doi/10.1093/jat/bkab064/6292018?searchresult=1>

Oral Fluid Testing

- [AAA Oral fluid report](#)
- Alabama [Senate Bill 258](#)
- Implied consent for oral fluid testing
- Testing for all substances

State Partners

- Law Enforcement
- State Highway Safety Officers
- Judicial personnel
- State public health agency
- Toxicologists
- Victim advocates

**Marijuana is the most
commonly detected drug
in the U.S. Workforce**

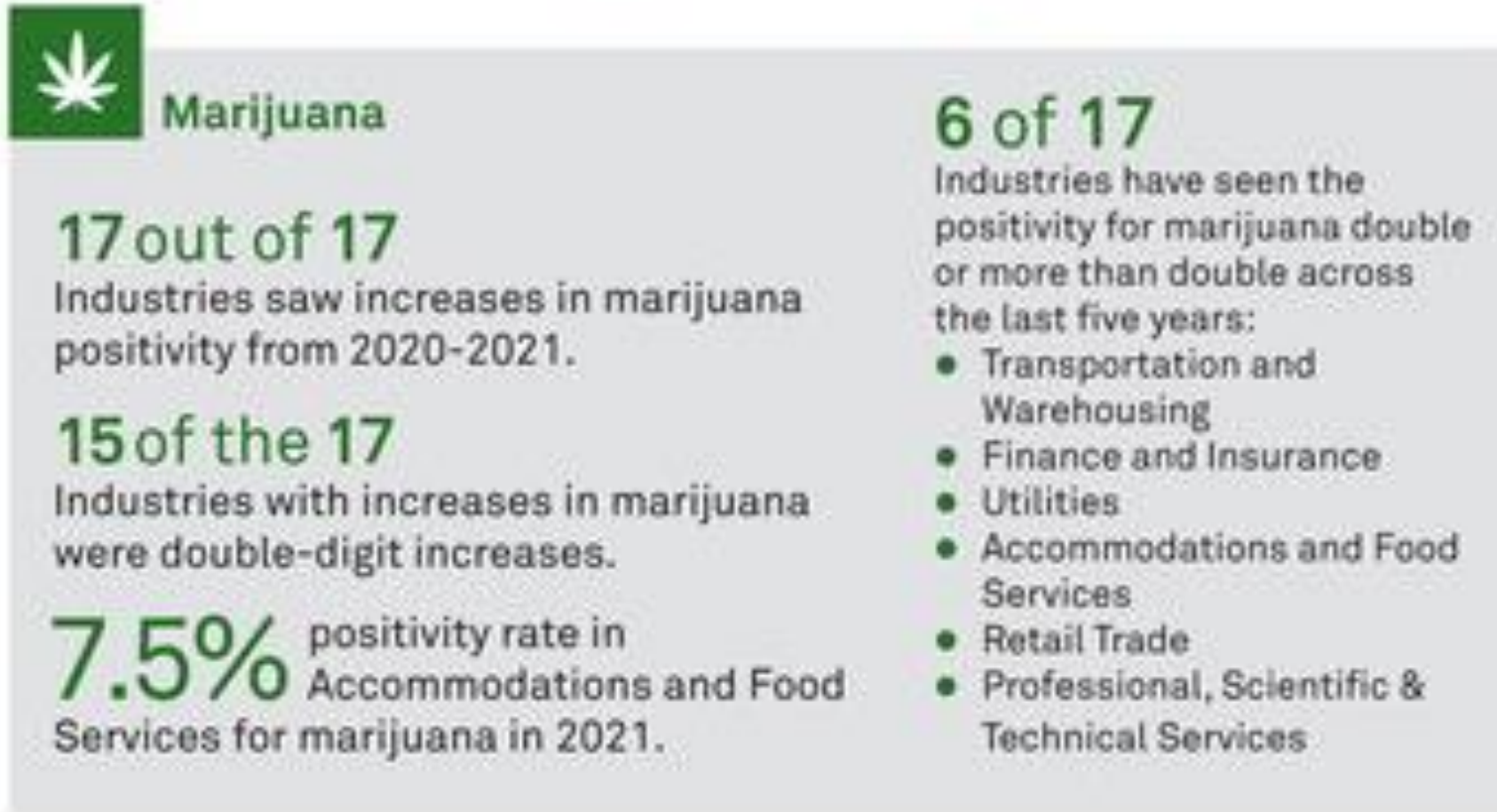
Marijuana in the Workplace: Guidance for Occupational Health Professionals and Employers



Address potential for impairment - Establish clear policies
Implement accommodation practices - Create safe workplaces

Training Available: [CRCS](#)

Cannabis and Workplace Drug Testing



Source: Quest 2022 Annual Report and Industry Insights, Drug Testing Index and Industry Insights

Substance Use in the Workplace- Business Impacts



Screening



Injuries



Medical



Treatment



Disability



Insurance



Workers Comp



Substance Use in the Workplace- Safety Impacts



Driving



**Operating
Equipment**



Critical Errors







Productivity



Cannabis use in the Workplace

Approximately One-Third Of Employees Have Observed Usage of Cannabis And CBD Products During Work Hours

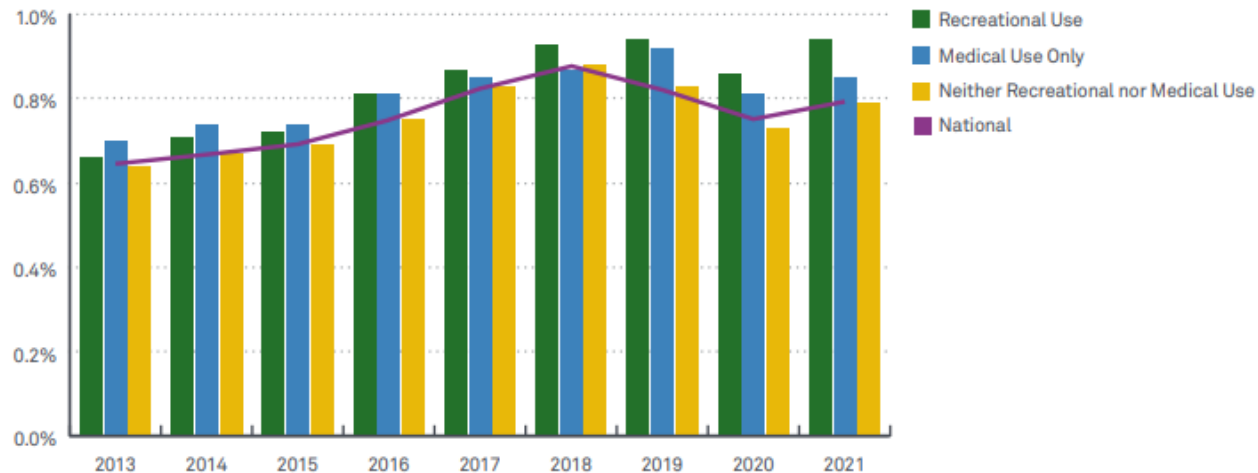
Those in construction report observing these behaviors significantly more often than those working in other industries, while those in utilities report observing these behaviors less. This is likely the result of greater safety risks and increased regulation in utilities compared to other industries. Employees in safety-sensitive positions report observing the behaviors more often than those not in safety-sensitive positions.

% That Have Observed The Behavior During Work Hours	Overall	Industry							Safety Sensitive Position	
		Agriculture	Construction	Manufacturing	Mining	Transportation	Utilities	Wholesale Trade	Yes	No
	1,000	85	255	265	24*	160	129	82	638	362
Using cannabis	 34%	34%	45%	32%	50%	30%	22%	30%	42%	21%
Using CBD products	 31%	33%	39%	27%	42%	27%	23%	28%	36%	21%
Sharing cannabis with other employees	 29%	31%	41%	25%	54%	26%	18%	24%	37%	17%
Sharing CBD products with other employees	 24%	27%	31%	21%	42%	21%	14%	26%	29%	16%

Recreational Cannabis Increases Test Positivity Rate

Marijuana Positivity by 2021 State Legalized Use Status – Urine Drug Tests | *Annual Report*

For Federally Mandated, Safety-Sensitive Workforce, as a Percentage of All Tests for Marijuana Metabolite



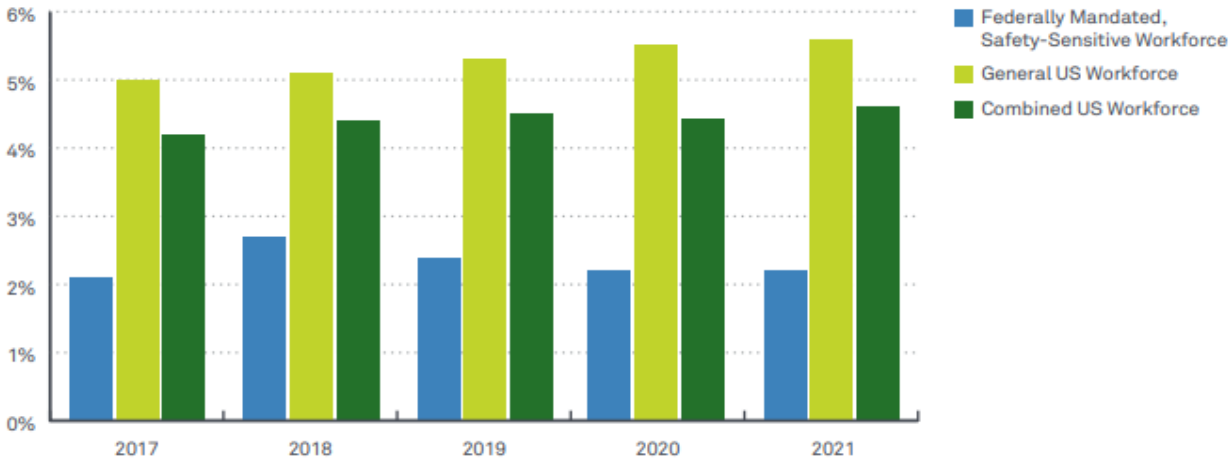
Nearly 2.7 million tests from January to December 2021

Drug Category	2013	2014	2015	2016	2017	2018	2019	2020	2021
Recreational Use	0.66%	0.71%	0.72%	0.81%	0.87%	0.93%	0.94%	0.86%	0.94%
Medical Use Only	0.70%	0.74%	0.74%	0.81%	0.85%	0.87%	0.92%	0.81%	0.85%
Neither Recreational nor Medical Use	0.64%	0.67%	0.69%	0.75%	0.83%	0.88%	0.83%	0.73%	0.79%
National	0.67%	0.71%	0.71%	0.78%	0.84%	0.88%	0.88%	0.79%	0.86%

Source: Quest 2022 Annual Report and Industry Insights, Drug Testing Index and Industry Insights

Positivity Rates by Testing Category | *Annual Report*

Urine Drug Tests



Testing Category	2017	2018	2019	2020	2021
Federally Mandated, Safety-Sensitive Workforce	2.1%	2.7%	2.4%	2.2%	2.2%
General US Workforce	5.0%	5.1%	5.3%	5.5%	5.6%
Combined US Workforce	4.2%	4.4%	4.5%	4.4%	4.6%

Positivity Rates of Marijuana, Urine Drug Tests for general US workforce by industry sector

Maryland “Safety Sensitive”

"Safety sensitive position" means a position subject to drug and alcohol testing because the nature of the employee's duties and responsibilities indicate a potential that impaired performance due to drugs or alcohol, or both, could result in injury or death to the employee or others.

(COMAR 09.12.26.03 (18))

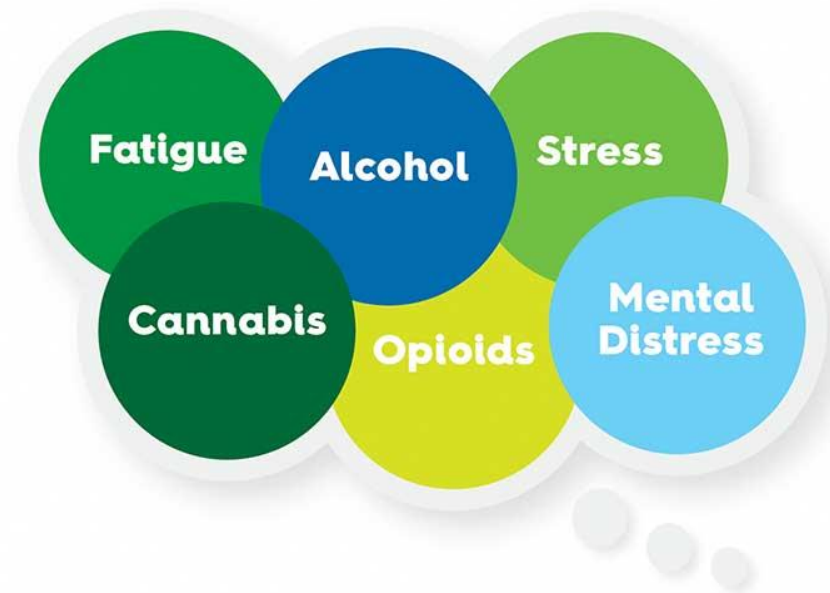
Workplace Policy Solutions

- Allow impairment free worksites
- Allow workplace drug testing to include marijuana
- Allow employers to define which jobs are safety-sensitive
- Increase treatment capacity for workers
- Embrace Recovery friendly workplaces

NSC Resources

Times have changed – Drug testing as a single solution is no longer the answer

- Impairment Recognition and Response Training
- Cost Calculators
- Comprehensive policies



Thank you

The National Safety Council is dedicated to reducing injuries and deaths in the workplace and on the roadway.



Join us online: www.nsc.org/cannabis

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Workplace Drug Testing Issues

- Maryland employers wishing to conduct workplace drug testing must follow state rules
- [Workplace Drug and Alcohol Testing Statute](#) – (Title 17, subtitle 2, §17-214) & Regulations (Title 10, Ch. 10)
- Md. Code Regs 09.12.26.05

