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## Idaho lawmaker backs medical marijuana

BOISE – An Idaho lawmaker has introduced a medical marijuana bill, saying Idaho needs to save money in its Medicaid program and that medical marijuana is a much cheaper way to treat patients in severe pain than expensive opiates.

That's a big selling point in Idaho's budget crunch, but Rep. Tom Trail, R-Moscow, said that so far, other Idaho lawmakers haven't been receptive. "It's a very controversial subject," Trail said. "Most legislators are very dicey."

Trail, who in past years has sponsored unsuccessful legislation to legalize industrial hemp, said he has no interest in legalizing marijuana in Idaho – just its medical use. He modeled his bill after New Jersey's medical marijuana law, which he said is the most restrictive of the 15 states that allow such use.

Under the bill, HB 19, medical marijuana would be available only to treat a "debilitating medical condition," including seizure disorders, glaucoma, multiple sclerosis, muscular dystrophy and terminal cancer. Prescriptions would be capped at 2 ounces every 28 days per patient.

Though neighboring Washington, Montana, Oregon and Nevada all have legalized medical marijuana, the substance is fully criminalized in Idaho, with possession of even traces classified as a misdemeanor carrying a penalty of up to a year in jail and/or a fine of up to \$1,000. Anyone younger than 18 caught with any amount of marijuana also will lose their driver's license for a year, and possession of 3 ounces or more is a felony, carrying up to a five-year prison sentence and fines of up to \$10,000.

Trail said Idaho law overlooks legitimate medical use that could save money and ease pain for patients.

"It's a safe, nontoxic, nonaddictive drug, as contrasted to opiates like morphine, oxycontin and hydrocodone," he said. "There could be a substantial savings to the state of Idaho by using medical marijuana, as contrasted to the other opiates that are legal today."

Tom Shanahan, Idaho Health and Welfare spokesman, said Idaho's Medicaid program spent \$6.1 million on opiates in 2010. But he said that at this point, the federal government won't pay for medical marijuana, and since it provides more than 70 percent of the funding for Idaho's Medicaid program, that wouldn't allow the program to switch to that drug.

Trail noted that U.S. Reps. Ron Paul and Barney Frank have introduced legislation in Congress to protect medical marijuana patients and remove federal penalties for personal marijuana possession and use. But, he said, "I'm not interested in anything outside medical marijuana, opening up to legalizing it. That's not our focus at all."

House Minority Leader John Rusche, D-Lewiston, a physician, said he's not sold on the idea of medical marijuana. "In states where they've had medical marijuana, including Washington, it's just been a difficult, expensive management problem for law enforcement and for health care," he said. "I don't see the value of it."