

# Medical Marijuana Dispensaries

Please read the following from Insurance Services Office, Inc. (ISO)

**This Bulletin has been created to help keep you informed of a current issue that may affect your Agents.**


“The number of dispensaries legally distributing marijuana for medical reasons has been increasing significantly in certain states such as California where state law generally permits use of marijuana for certain medical reasons. The U.S. Department of Justice distributed a memorandum addressed to U.S. State Attorneys General providing guidance and clarification to federal prosecutors in those states that have enacted laws authorizing the medical use of marijuana. The memorandum recognizes that state laws vary in terms of their provisions and extent of regulatory oversight. The Department’s focus is generally directed at using federal resources in investigating and prosecuting individuals other than those “whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana.” Potential concerns may involve insuring exposures related to such facilities in view of the continuing federal controlled substance act. However, while patients legally using a program will not be the target of the Justice Department, the Department has not provided clear guidance to program operators and state workers, nor has the Department offered blanket immunity to such workers.

Other potential concerns include dispensing marijuana to an already intoxicated individual and the use of the dispensed marijuana during work hours, although issues concerning this last point may not be unlike use of other prescription drugs during work hours. Reports indicate there are workers’ compensation related concerns, with regard to claimants seeking approval for use of medical marijuana for the treatment of work-related injuries, as well as employer-related issues such as frequency of use, physical locations for use, and the potential affect on drug-free workplace programs. A U.S. District Court judge in Michigan has reportedly decided that a law legalizing medical marijuana does not prohibit private businesses from firing employees for drug use. The National Conference of State Legislatures website (see [www.ncsl.org](http://www.ncsl.org)) includes state-specific information regarding the extent and applicability of the law regarding medical marijuana. **Reports indicate that federal law enforcement efforts are being stepped up in response to the operation of medical marijuana dispensaries, including prosecutors targeting landlords with civil seizure lawsuits against properties used to cultivate the drug.**” © Insurance Services Office, Inc., 2011

**Rainier is currently not a market for any Medical Marijuana Operations.**

**Contact us at: 800-522-6944 or [www.rainierinsure.com](http://www.rainierinsure.com)**

Note: This bulletin is only intended for general information. The bulletin provided herein supersedes and replaces any previous related general information.



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