

ASSEMBLY FLOOR ALERT

AB 258 (LEVINE) – SUPPORT



Medical Marijuana Organ Transplant Act

AB 258

Patients who test positive for cannabis (marijuana) use are routinely denied a place on organ transplant waiting lists – even if they are using legal doctor-recommended medical cannabis in accordance with California law. This outdated yet widespread policy at hospitals and transplant centers is based on classifying all legal cannabis use as “drug abuse.” Legal patients have died after being denied an organ transplant based solely on use of doctor-recommended medical cannabis, and others are at risk right now.

AB 258 will reduce unnecessary suffering and preventable death by prohibiting anyone in the organ transplant process from determining the recipient of an organ transplant based on the potential recipient’s legal medical cannabis use, unless a doctor has determined that medical cannabis use is clinically significant to the transplant process.

- California law already protects patients with mental and physical disabilities from discrimination in the organ transplant process. AB 258 extends that existing protection to legal medical cannabis patients.
- Six other states that allow medical cannabis use already protect patients from discrimination in the organ transplant process: Arizona, Delaware, Illinois, Minnesota, New Hampshire, and Washington.
- There is no federal or state law or regulation that would prevent a legal medical cannabis patient from receiving an organ transplant.
- The California Medical Association unanimously approved Resolution Number 114-16 in December, declaring cannabis use should not be contraindicated for an organ transplant.
- Research shows that the active therapeutic constituents of cannabis have beneficial immunosuppressive and anti-inflammatory effects which may prolong graft survival in transplant patients. There is no association between cannabis use and lower survival rates.

AB 258 is a compassionate, commonsense approach to ensuring fundamental fairness in the organ transplant process. The responsible, law-abiding medical cannabis patients who need an organ transplant are among the sickest and most vulnerable in the population. They urgently need equal access to life-saving organ transplants.

A vote for AB 258 is a vote to reduce unnecessary suffering and preventable death, while increasing survivorship in the organ transplant process. Those are goals that lawmakers, doctors, and constituents can all stand behind.