

---

## **Pot docs' issuing 'Get Out of Jail Free' cards**

By Linda Williams /TWN Staff Writer

Article Launched: 12/26/2007 10:51:01 AM PST

While most think of cancer and AIDS when hearing of medical marijuana, in recent years most marijuana recommendations have been issued for far less serious illnesses by a small cadre of "pot docs." Medical marijuana recommendations seem to be evolving into Get Out of Jail Free cards rather than treatment for serious medical conditions.

An estimated 95 percent of patients visiting "pot docs" are already significant pot users seeking approval for their drug use, and a small group of physicians are willing to fulfill their request.

When California voters approved Proposition 215 in 1996, the full consequences of the act were not readily apparent to everyone at the time. Proponents reassured the public that marijuana would still be illegal for recreational use and was only meant for Californians with serious health issues.

The act gave seriously ill Californians the right to obtain and use marijuana for medical purposes when recommended by a physician. In 1996, AIDS patients with wasting disease and chemotherapy patients with nausea so bad they could not function were the people featured on advertising sponsored by pro-215 supporters. Proponents urged the passage to "avoid sending cancer patients to jail."

Opponents of the measure included nearly every law enforcement group within the state who described the measure as "a cruel hoax" since it did not actually restrict the use of marijuana to serious illness like cancer or AIDS but left it open to be allowed for any reason without a prescription, examination or age requirement.

Slightly more than 55 percent of the voters supported the proposition in 1996.

Current estimates now have up to 350,000 marijuana users in California with physician recommendations, up from only 100,000 in 2005. Because there is no monitoring of these recommendations and with no requirement to get a state or county marijuana card, there is no way to know how many recommendations have actually been issued.

The National Drug Use Survey in 2003 estimated California had 700,000 daily marijuana users and a million more casual users.

While most physicians have kept faith with the voters' intent, a small minority appear to have used it to feather their own nests or further their own agenda.

By 2005, 15 pot docs had issued an estimated 50,000 marijuana recommendations. About 1,500 other physicians, primarily AIDS and cancer specialists, issued the remaining 50,000 recommendations. California has 30,000 physicians.

These pot docs collect from \$150 to \$250 from patients for each recommendation. Dr. Tod Mikuriya, a physician who helped draft Prop. 215 issued as many as 10,000 recommendations personally before being sanctioned by the California Medical Association. Mikuriya died earlier this year.

The CMA has sanctioned several doctors but was handcuffed by a 2004 California court ruling restricting its investigations to patients who file a complaint and authorize the release of their medical records. Without a complaint from a pot patient, the CMA has limited ability to review cases.

This ruling has led to an explosion of marijuana prescription clinics springing up across California. These new groups of pot docs advertise in the media and on the internet. Some even maintain around the clock online verification of the recommendations for cannabis clubs or law enforcement purposes.

Some clinics were visited by undercover police and reporters exploring the limits of what the clinics will recommend marijuana for. One Bay Area reporter said her feet hurt when wearing high heels and got a recommendation. An undercover police officer in San Diego requested a marijuana recommendation for his dog, while the pot doc refused to provide one, he did give the officer a caregiver authorization to obtain marijuana for the dog. One reporter received a marijuana recommendation because he had dry skin, another for hair loss.

Those not wishing to visit a pot doc can be designated as a "caregiver" for someone who has.

With most recommendations valid for one year and typical fees of \$150 each, these pot docs seem to have found a \$45 million a year business opportunity. Should the remaining regular or recreational pot users decide to get their own Get Out of Jail Free cards, the recommendations could generate as much as \$255 million annually and essentially legalize all marijuana use in California.

Editors Note: As discussed in the previous article in the series, Marijuana and Medical Science, the active ingredients in marijuana have been shown effective for treating AIDS wasting disease and relieving nausea for some chemotherapy patients. These ingredients also have the potential for treating other serious illnesses such as multiple sclerosis, depression and neuropathic pain.