

A Study: Best Practices of Public Health Measures in States that have Legalized the Adult Recreational Use of Cannabis

**National Council on
Alcoholism and Drug
Dependence-Maryland**

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About NCADD-Maryland

NCADD-Maryland's mission is to raise public awareness of alcoholism and drug dependence issues across the state, while working to ensure those affected by the disease of addiction have the resources necessary when accessing treatment and sustaining recovery.



Executive Summary

This report was written by the Maryland Chapter of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) to identify the actions and outcomes of other states in the country that have legalized recreational cannabis, with a particular focus on public health policies. The research is intended to identify best practices for Maryland lawmakers on what public health approaches should be taken in the process of legalizing cannabis for recreational adult use, should the State decide to move in this direction. Based on our conversations with professionals from other states and available research, NCADD-Maryland has identified the following major public health policies related to recreational cannabis use:

Policies Addressing Consumption— Advertising and Packaging

Nearly all states that have legalized recreational cannabis have advertising and packaging policies to curb cannabis use amongst adolescents and vulnerable populations. Advertising and packaging restrictions are particularly important because the risks of negative health effects associated with cannabis use are not widely recognized by the public.

Public Health Education Campaigns

Negative health impacts can be a result of heavy cannabis use. Other states have found public health messaging and policies that fund, require, and support educational campaigns are effective ways to minimize adverse outcomes in high-risk groups such as adolescents, people with mental health disorders and pregnant women.

Policies Related to Potency and Mitigating Negative Public Health Impacts

Potency is an emerging issue as more states legalize

recreational cannabis. As cannabis products become more diverse, THC potency has increased and the methods of use have changed significantly.

Fee Structures to Promote Public Health

The “war on drugs” policies in the United States have resulted in mass incarceration of primarily Black and Hispanic males, undermining public health in these communities. Black and Hispanic individuals are also less likely to complete addiction treatment. Legalizing cannabis provides an opportunity, through revenue generation, fees, and taxes, to reinvest in communities that have been historically impacted by discriminatory practices.

Other Public Health Policies

This report also focuses on other significant policies that were raised in a few states:

Public Use

Similar to alcohol and tobacco, there are public health and safety interests associated with the public use of certain substances. It is important to address the use of cannabis in public without creating additional criminal penalties.

Driving Safety

Driving impairment has been a prominent issue of concern in a number of states, with data showing an increase in driving while impaired by cannabis.

Governing Structures

Some governing structures in other states have placed responsibility with existing state agencies, while other states have created new entities to oversee this new market.

Data Collection

States that have legalized recreational cannabis have recognized the significant gaps in baseline data, which is incredibly important to quantify whether public health strategies are effective.

Recommendations

- Clearly define specific restrictions and requirements on how, when, and where advertising of cannabis products can take place and what content and images can and cannot be in advertisements and on packaging.
- Incorporate the extensive knowledge Maryland and the federal government has developed over the last few decades in successful efforts to deter minors from using tobacco and alcohol products.
- Develop age-appropriate public education campaigns designed to ensure the public understands cannabis and to mitigate any negative public health impact.
- Require the development of public health campaigns be led by the Department of Health's Public Health Administration, in consultation with health and educational campaign experts.
- Set clear and specific limits on potency levels in the various products for sale to the public. Policies should prohibit potencies above a certain percentage, such as Maryland does with alcohol content.
- Create a higher tax rate on higher potency products to deter young people from accessing those products and to influence the market.
- Specify minimum percentages of revenue generated by taxes and licensing fees for specific purposes. Revenue should significantly support:
 - Public health education campaigns
 - Youth prevention strategies
 - Treatment and recovery services for people with substance use and mental health disorders
 - Treatment and recovery workforce development
 - Re-entry services
 - Community programs that benefit disadvantaged communities, including those communities disproportionately impacted by the war on drugs
- Restrict the use of cannabis in public without creating additional criminal penalties. Smoking cannabis indoors should be restricted consistent with Maryland's Clean Indoor Air Act.
- When considering the issue of "clubs" or other public spaces to allow for the consumption of cannabis products, Maryland should look to consistencies with restrictions and requirements on bars and other locations where alcohol is consumed on-site.
- Maryland's laws on impaired driving should be applied as consistently as possible to laws addressing any impairment, whether caused by cannabis or alcohol. While the technologies are not equal at this time, the policies should not create substantially different standards.
- Public health authorities should be placed in leadership positions and ensure cannabis related regulations are overseen by appointed public health officials.
- Collection of baseline data is needed now, prior to any legalization implementation, to ensure policy makers have the most comprehensive and accurate data when regulating this industry.