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# Cannabis, Health, and the Law in the US

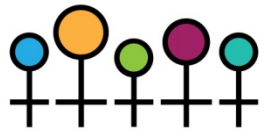
*Last updated: October 3, 2023*

*Together, we can change the course of the HIV epidemic...one woman at a time.*

**#onewomanatatime**

[www.thewellproject.org](http://www.thewellproject.org)

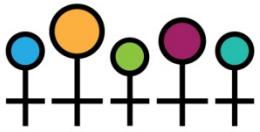
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# What is Cannabis?

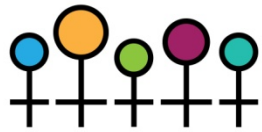
- Cannabis has medicinal properties
  - Can help people living with HIV
- Family of plants
  - Consumed (marijuana) or used to make fabrics (hemp)
- Cannabis laws and enforcement vary globally
- US: state law
- Drug laws used disparately on communities of color
  - Decriminalizing cannabis can repair disparities
- See also: [Cannabis, HIV, and Your Health](#)



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# Medical vs. Recreational Marijuana

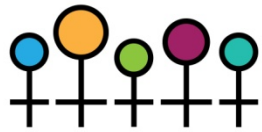
- Medical marijuana
  - Same substances as recreational marijuana
- State regulations
  - Medical marijuana conditions
- **Tell provider about everything you take!**
  - Medical confidentiality laws protect you
- Medical conditions:
  - ALS
  - Anorexia
  - Cancer
  - Crohn's disease
  - Epilepsy and seizures
  - Fibromyalgia
  - Glaucoma
  - HIV
  - Migraines
  - MS and muscle spasms
  - Pain (chronic)
  - Parkinson's disease



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# US Federal Law

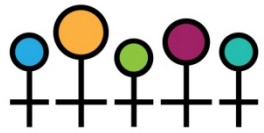
- Still illegal under federal law
- 2013 Department of Justice memo
  - Won't challenge state marijuana laws
  - But: overturned in 2018
- 2022 Biden proclamation
  - Acknowledges harms from marijuana criminalization
  - Directs agencies to review possible decriminalization
  - Advises states to pardon people convicted of minor marijuana offenses



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# US State Laws

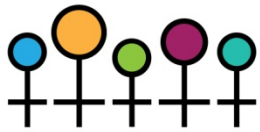
- Decriminalization
  - No arrests or criminal charges for small amounts
- Legalization
  - No penalties for possession
  - May only legalize medical marijuana
    - Need doctor's prescription
- State regulations on cultivation and sale
  - Usually licensing system
- Medical Marijuana Project map of state laws



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# Implementation of Legalization Laws

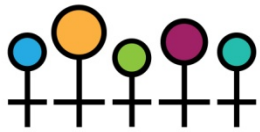
- Legalization ≠ Legal availability
- Licensing system may not be set up
  - New York State
  - Washington, D.C.
- Local police may still arrest people after legalization
  - Selective enforcement disproportionately affecting communities of color



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# There May Still Be Problems

- Transporting cannabis across state borders
  - Governed by federal law
  - Be careful of airports, train stations
    - TSA says they no longer train dogs to detect cannabis
- Driving under the influence laws (DUI)
  - **Don't consume cannabis and drive impaired!**
- Different state laws on marijuana specifics
  - Amount you can possess
  - Whether you can grow your own
    - Public housing is federal!



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## Learn More!

- To learn more about this topic, please read the full fact sheet:
  - [Cannabis, Health, and the Law in the US](#)
- For more fact sheets and to connect to our community of women living with HIV, visit:
  - [www.thewellproject.org](#)
  - [www.facebook.com/thewellproject](#)
  - [www.twitter.com/thewellproject](#)
  - [www.instagram.com/thewellprojecthiv](#)