



Choices Mental Health Counseling, PLLC

Thomas S. Rue, M.A., LMHC, CASAC

Licensed by the State of New York and Certified by the National Board for Certified Counselors
Certified Clinical Mental Health Counselor, Credentialed Alcohol and Substance Abuse Counselor
US DOT qualified Substance Abuse Professional, Internationally Certified by IC & RC
AMHCA Diplomate in Clinical Mental Health Counseling for Substance Abuse and Co-Occurring Disorders

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Policies and Recommendations on Medical Marijuana

Laws and evidenced-based science on accepted and approved medical uses of cannabis products are changing rapidly, offering hope for relief of suffering as well as considerations for recovery, employment, and public safety. *Consult your doctor or lawyer* if you have specific questions about your condition or the risks, benefits, and possible consequences of a choice to use medical marijuana (MMJ).

Policies and Views of this Office on Use of Medical Marijuana:

- i. Recovery from addiction involves use of sober coping skills and honest communication to develop healthy attitudes and behaviors. Recreational drug use (including of unprescribed marijuana) is not consistent with addiction recovery. As with any medication, always weigh the risks and benefits before deciding in partnership with your doctor whether to use MMJ.
- ii. **Do not** ingest any form of MMJ on the premises of Choices Mental Health Counseling PLLC; or attend group or individual therapy while impaired (i.e. do not come to therapy "high"). Vaping or smoking **anything** inside the office is not permitted.
- iii. If you have an MMJ registry ID card or prescription information, please provide a copy to your counselor to be placed in your chart, and sign consents to release of information allowing communication with your prescribers. Failure to do so will require us to interpret positive test results as unsupported by a lawful prescription and therefore subject to further review and action.
- iv. If toxicology testing is part of your care plan at this office, a positive test result for THC will be interpreted as consistent with prescribed medication, **only** if you have provided documentation to your counselor **and** obtained your MMJ lawfully. (This statement does not apply to employees in DOT safety-sensitive or other "drug-free" work environments discussed below.)
- v. Take any prescribed medication strictly as directed, only for the purpose it is prescribed, and only for as long as needed. Tell your prescriber about any adverse effects or if a medication is not helping, paying close attention to your body and mind.
- vi. Obtain MMJ lawfully products **only** at NYS licensed dispensaries. Products purchased elsewhere may contain other substances or unknown additives that can cause a positive drug testing result that is inconsistent with your prescription. MMJ products may not be shared with anyone by the holder or be transported or purchased outside the State of New York.
- vii. Some products commercially labeled as "CBD only" may contain trace amounts of THC that can result in a positive drug test.

Qualifying Medical/Psychiatric Conditions Under Current NYS Law:

"Only patients with one of the following severe, debilitating or life-threatening conditions may qualify for the Medical Marijuana Program: cancer, positive status for HIV or AIDS, amyotrophic lateral sclerosis (ALS), Parkinson's disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, inflammatory bowel disease, neuropathy, chronic pain as defined by 10 NYCRR §1004.2(a)(8)(xi), post-traumatic stress disorder or Huntington's disease or any condition for which an opioid could be prescribed (provided that the precise underlying condition is expressly stated on the patient's certification). Patients must also have one of the following associated or complicating conditions: cachexia or wasting syndrome, severe or chronic pain, severe nausea, seizures, or severe or persistent muscle spasms, PTSD or opioid use disorder (only if enrolled in a treatment program certified pursuant to Article 32 of the Mental Hygiene Law)." See information for patients on the MMJ Program of the NYS Department of Health at www.health.ny.gov/regulations/medical_marijuana/patients/.

Other Considerations:

- i. **Do not** operate motor vehicles or other heavy machinery while impaired, including by prescribed or over-the-counter drugs. See the NYS OASAS website at www.oasas.ny.gov/admed/fyi/drugdriving.cfm for more discussion of this subject.
- ii. You may not work at any US DOT safety-sensitive job if you test positive for marijuana, cocaine, amphetamines, opioids, or PCP (regardless whether medically prescribed) until undergoing the prescribed return-to-duty process. DOT workers must comply with the ODAPC Notice to US DOT safety-sensitive employees at www.transportation.gov/odapc/medical-marijuana-notice.
- iii. Other employers and schools may also enforce "drug-free" policies, for public safety or to maintain eligibility for Federal funds. These policies can result in employees or students being disciplined for testing positive, even if the drug's use is pursuant to a prescription. MMJ use may impact Worker's Compensation if you are hurt on the job; as well as incurring OSHA/MSHA liability.
- iv. According to the US Bureau of Alcohol, Tobacco, and Firearms (ATF), an MMJ registry ID card makes you *ineligible* to purchase, own, or carry firearms or ammunition. See "open letter" from atf.gov at www3.nssf.org/share/PDF/ATFOpenLetter092111.pdf.

Note: Nothing in this notice is intended as legal or medical advice. If you have legal questions about your use of MMJ, you should consult with an attorney. Even if complying with the law, you should only use MMJ as directed by your doctor. [Revised. 1/12/2019]

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Carmen Rue, our Office Manager, is qualified to assist in Spanish and English.