

SQ 788

DID YOU KNOW?



June 26 statewide election – Medical Marijuana

“This state question is NOT about Medical Marijuana. This is not a debate about whether or not marijuana has medicinal benefits. In fact, members of our coalition are not unanimous in opposition to all marijuana laws – but we all believe SQ 788 is NOT medical.” – SQ 788 is NOT Medical Campaign Chairman Dr. Kevin Taubman.

If SQ 788, the so-called medical marijuana state question passes:

Oklahoma physicians, hospitals and all health care providers will have to decide between following the new state law or protecting our patients’ health and safety . . .

- Hospitals and their facilities, which depend on a drug-free workplace to ensure that health care staff is not impaired, will *not* be able to enforce the ban of marijuana use in the same way violations of drug-free policies are *currently* enforced.
- Employers will not be able to drug test when screening for employment if a prospective employee has a marijuana license. This prohibition on screening is not limited to marijuana.
- If an employee has a marijuana license, they will be excluded from unannounced drug testing implemented for the safety and health of patients.
- If an employee has a marijuana license, on-the-job use is restricted. However, use of marijuana prior to coming to work is not restricted, which could endanger patients!
- Unlike a typical doctor’s prescription, a so-called medical marijuana license under SQ 788 is a license, not a prescription, that lasts two years and can be signed by any “physician” designated so in current law:
 - In addition to MDs and DOs, licenses can be signed by veterinarians, dentists, optometrists, podiatrists, and chiropractors for *anyone who is not a patient of record*.
 - Only the most unethical “physician” would sign a license for someone who is not a patient of record – this is the provision that makes marijuana “recreational,” NOT “medical.”
- Federal law will not protect employers in their ability to enforce drug testing policies. SQ 788 creates a protected class of individuals who hold the marijuana license and if employers violate the provisions of SQ 788, an employee can sue the hospital for violation of their rights.
- The provisions of SQ 788 are statutory and will not become part of the Oklahoma Constitution. Yes, the Legislature could make changes to the law if SQ 788 passes; however, they are not required to do so and will have much pressure to let the question stand as voted on by the people.

