

**SAN FRANCISCO AIDS FOUNDATION**995 MARKET STREET, SUITE 200, SAN FRANCISCO, CALIFORNIA 94103
VISITORS' ENTRANCE: ONE 6TH STREET AT MARKET

May 7, 2008

Assemblyman Mark Leno
State Capitol Room 2114
Sacramento, CA 95814
Fax: 916-319-2113

RE: AB 2279 (Leno) Medical Cannabis Employment Non-Discrimination -- SUPPORT

Dear Assemblyman Leno,

On behalf of the San Francisco AIDS Foundation, I am writing to register our support of AB 2279 (Leno), which would make it unlawful to discriminate in employment practices based on an employee's legal use of medical marijuana outside the work place and not during working hours. This bill would reverse the California Supreme Court ruling in *Ross v. RagingWire Telecommunications*, in which the Court ruled that an employee using medical marijuana with a doctor's recommendation as permitted by California law may be fired solely because of his/her status as a medical cannabis patient.

Numerous studies - including the federal government's own 1999 Institute of Medicine report - have documented marijuana's effectiveness for treating pain and nausea. Mounting scientific data shows medical cannabis also helps patients manage the harsh side effects of HAART (Highly Active Anti-Retroviral Therapy). In 2005, *Journal of AIDS* reported that people living with HIV/AIDS who use cannabis to combat nausea caused by HAART therapy are approximately three times more likely to maintain adherence to their proscribed drug therapies.

In 2007, a study conducted at the University of California, San Francisco by Dr. Donald Abrams found that cannabis significantly helps reduce pain from neuropathy associated with HIV/AIDS. The UCSF study was a randomized, placebo-controlled clinical trial of 50 patients who had an average of six years of pain from neuropathy. The pain reduction in the group receiving the medical cannabis was twice that of the placebo group.

Thousands of Californians use cannabis to treat the symptoms of HIV/AIDS. In its ruling, the California Supreme Court ignored the will of the voters and the legislature by invalidating the rights of these California patients to be free from discrimination in employment. AB 2279 restores this right, while preserving the rights of employers to take action against employees that come to work impaired or consume medical marijuana at the workplace.

The policy of this state should be to encourage gainful employment for those patients who are able to work. AB 2279 is a reasonable solution that protects patients, employers, and public safety. We strongly urge your colleagues in the legislature and Governor Schwarzenegger to pass and sign AB 2279.

Sincerely,

Handwritten signature of Courtney Mulhern-Pearson.
Courtney Mulhern-Pearson, MPH(415) 487-3000
California AIDS Hotline: 1 (800) 367-AIDS
www.sfaf.org