

Tuscarawas County Commissioner Kerry Metzger

House Government Oversight Committee

March 24, 2022

Senate Bill 261

Chairman Wilkin, Vice-Chair White, Ranking Member Brown, and members of the House Government Oversight Committee, thank you for the opportunity to provide opponent testimony to SB 261 which would revise Ohio's medical marijuana law.

As a matter of introduction and background, my name is Dr. Kerry Metzger. I am a retired dentist and practiced for 26 years. I had the privilege to serve in the Ohio House of Representatives from 1995 through 2002. I'm currently serving my 17th year as a Tuscarawas County Commissioner. I, also, currently serve as the chairperson of the Tuscarawas County's Empower Tusc Coalition. The coalition is youth focused with a vision of "Empowering youth to live healthy, drug-free lives". Our mission is "to prevent youth substance use and misuse and promote mental health wellness by implementing effective prevention strategies".

As I reviewed the bill, it crossed my mind that SB 261 could have been written by the "marijuana addiction for profit industry". From my experience in the Ohio state legislature, this is an all too common practice that is utilized to create legislation. And why do I say this. Look what the bill does:

1) Transfers oversight from the Board of Pharmacy to the Dept of Commerce, a business focused department within state government. We are expanding the medical marijuana program without the medical community's oversight, who's decisions on this addictive drug are based on the evidence-based science and not the for-profit Big Tobacco/Big Alcohol industries. This plays right into the playbook of the addiction for profit marijuana industry!

2) The bill expands and allows for the use of medical marijuana to treat **any condition!**

3) It increases the number of medical marijuana retail dispensaries in Ohio.

4) It increases permitted THC levels in extracts to as much as 90%.

5) It allows licensed dispensaries to advertise on social media or otherwise **without receiving prior approval** for their advertisements.

Allow me to expand on a few of these issues. First, is the issue of increasing the THC levels of extract to as high as 90%. This is insane! Any medicinal benefits of marijuana plant come from the CBD component of the plant, not the THC levels which produces the psychoactive high. I would refer the committee to an article written by the SHIMADZU company regarding potency testing in cannabis extracts. It states, "The therapeutic CBD is desirable for medicinal effect **but the psychoactive THC may be unnecessary and even undesirable for some patients.**"

From an article in the NIH National Library of Medicine entitled "The Problem with the Current High Potency THC Marijuana from the Perspective of an Addiction Psychiatrist states," **We now**

have concentrated THC products such as oil, shatter, dab, and edibles that have been able to get the THC concentration upwards of 95%. There is absolutely no research that indicates this level of THC is beneficial for any medical condition. The purpose of these products is to produce a high, and the increased potency makes them potentially more dangerous and more likely to result in addiction.”

The United Nations Office on Drugs and Crime in their 2021 addition of the annual World Drug Report contains the recommendation that **“calls for a cap on THC potency”**. This bill goes in the completely opposite direction!

If this increase in THC potency remains in the bill, we will begin to see an increase in Cannabis Use Disorder (CUD) in adults and our youth along with creating or worsening many mental health problems including anxiety, depression, psychosis, and suicidal tendencies.

Secondly, I have a huge concern related to the expansion of advertising for the medical dispensaries. I’m old enough to remember the advertisements for tobacco products in the 50’s and 60’s. They advertised on TV and radio the health benefits that using their tobacco products had. They even had doctors on air stating the health benefits of their products along with “Joe Camel” and the “Marlboro Man” making it seem “cool” to use their tobacco products. It took decades to reverse the effects this this advertising had on our citizens.

Now, with SB 261, we are modernizing the Big Tobacco’s playbook. By now including “social media or otherwise without receiving prior approval”, we are opening “pandoras box” by allowing addiction for profit industries to directly market their products to the youth of our state! **Who uses social media the most, it’s our youth!** If nothing else, study the advertising that has occurred in the states that have legalized marijuana. Edibles have been made to look very similar to regular products that people consume such as chocolates, gummy bears, PopTarts etc. Vaping devices are made to look very sleek and modern. There needs to be strict guidance in this bill in regards to advertising these products!

Finally, I would like to address the increase in the number of medical dispensaries. The pharmacy board in 2017 set an initial limit of 60 dispensaries. Recently, 73 new dispensary licenses were approved bringing the total allowed to 133 statewide. According to the bill the number will increase 300 to fulfill the requirement to achieve a ratio of at least 1 retail dispensary per 1000 registered patients up to the first 300,000 registered patients. It then allows for additional dispensaries on an as needed basis and to be reviewed and evaluated every 2 yrs.

Putting my commissioners’ hat on, I have concerns about the location of these new facilities. We have communities in Tuscarawas County that do not want a dispensary located within their community. I know you will consider this as the NIMBY (Not In My Back Yard) principal. But they have legitimate concerns about what the impact will be on their communities’ social and community norms. Is there any consideration on this loss of local control? Can we work together to come up with a solution to this issue?

In conclusion, I want to state my opposition to SB 261 as currently written. There will be long-term health and safety consequences if this bill passes as currently written. It is my hope that the House Government Oversight Committee will take the concerns expressed in opposition

testimony to heart and amend this bill so that we protect Ohio's youth, vulnerable populations, and our communities from the scourge of marijuana addiction and abuse.

I leave you with one final comment. When you sit back and contemplate your position on this bill, ask yourself this question, "Am I willing to forever change the fabric of what protects our Ohio communities and youth from harm by weakening each community's social and community norms?"

Thank you for your time and consideration this matter.