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LEGALIZATION OF CANNABIS FOR RECREATIONAL USE: MINIMIZING THREE RISKS OF MISUSE

**THE FIQ'S STANCE ON THE REGIONAL CONSULTATION ON REGULATION OF CANNABIS
SEPTEMBER 7, 2017, FROM 12:30 P.M. TO 9:00 P.M. AT THE PALAIS DES CONGRÈS DE MONTRÉAL**

SUMMARY

As an organization representing 75,000 healthcare professionals, the Fédération interprofessionnelle de la santé du Québec – FIQ would like to share its take on the issues around the legalization of cannabis for recreational use. There's reason to rejoice when the concerns and expertise of those working in public health care are behind an important decision on public policies. However, healthcare professionals in the field are sounding an alarm because at less than a year to go before the law comes into effect, there's still a lot of work to do. Our members are already overworked and serious concerns have been raised among teams working in mental health and with vulnerable populations. The FIQ has identified three risks of misuse that the government would be wise to minimize:

1. All healthcare professionals should have a common understanding of the process of legalization, its objectives and the methods of achieving them.

Healthcare professionals urge the government to ensure that the legalization of cannabis is not seen as a trivialization of its use or the associated consequences. All professionals in health care agree that it is necessary to protect youth and to offer them a wide variety of prevention and health promotion activities.

2. It is essential to make a significant reinvestment in public health care before the legislation passes in order to reduce harm.

Healthcare professionals would like to remind the government that major cuts have been made to public health care in the last few years. Teams who work in mental health and with vulnerable populations need support in order to meet new needs.

3. The marketing of cannabis products should not be controlled by private companies' interests.

Healthcare professionals urge the government not to give in to the temptation, in whole or in part, to leave the marketing of cannabis products to private interests. Profit-based logic is simply not compatible with a public health approach.

INTRODUCTION

The Fédération interprofessionnelle de la santé du Québec — FIQ represents 75,000 healthcare professionals in nursing and cardio-respiratory care, which includes the majority of nurses, licensed practical nurses, respiratory therapists and clinical perfusionists who work primarily in the public health and social services network. This strong foundation in the health network serves to enrich the FIQ's expertise, which is valued and recognized by decision-makers from all backgrounds. The organization represents healthcare professionals with varied experience in different areas of the health and social-service network.

As first-hand witnesses of how the health care system operates on a daily basis, healthcare professionals see the effects of socioeconomic inequality on health, as well as the sometimes deplorable impacts of the decisions made at all levels of the political and hierarchical structure. As a labour organization, the FIQ practices proposal-oriented unionism and, through its orientations and decisions, aims to preserve social gains and achieve greater equality and social justice. It represents mostly women healthcare professionals, workers in the public network, patients and citizens.

Buoyed by this mission, the FIQ has always **actively participated in consultations** that are historically significant for Quebec's health and social service system. Whether it concerns the strategic planning within the healthcare system, bills that aim to modify its operation or any other relevant subject, the Federation has always worked to defend the interests and concerns of its members and the population.

It may come as a surprise to many that cannabis is being legalized for recreational use since it can have harmful effects on human health. However, experts agree that the approach behind legalization, harm reduction, allows us to make significant progress in the fight against problems related to the use of psychoactive substances.⁽¹⁾

There's reason to be rejoice when the concerns and expertise of those working in public health care are behind an important decision on public policies. However, **healthcare professionals in the field are sounding an alarm** because at less than a year to go before the law comes into effect, there's still a lot of work to do to properly protect youth. Our members are already overworked and **serious concerns have been raised among teams working in mental health and with vulnerable populations.**

During the Regional Consultation, our intervention will focus on the main risks of misuse; we will address the issues directly associated with the practice of healthcare professionals once there are concrete solutions and a legal framework on the table.

CURRENT SITUATION

Cannabis is a **psychoactive substance that can have harmful effects** on human health.

- ◆ It can affect a person's cognitive and motor functions needed to drive a car or carry out work-related tasks⁽¹⁾
- ◆ Use among youth is particularly risky because their brains are still developing and it can either worsen or even trigger mental disorders⁽¹⁾
- ◆ Improper storage of cannabis and the various products it comes in, such as baked goods, could lead to accidental poisoning among children⁽¹⁾

The effect of cannabis and its potency will vary with the method of consumption (smoking, vaporizing, eating, topical application, etc.). It is complex, perhaps even impossible, to establish doses for therapeutic purposes for each method of consumption.

On April 1, 2014, the *Marihuana for Medical Purposes Regulations* came into effect. In August 2016, it was replaced by the *Access to Cannabis for Medical Purposes Regulations*. Under this regulation, Quebec doctors can sign a medical form allowing patients to purchase the amount needed for their medical condition directly from an authorized producer. The use of cannabis for medical purposes is not a recognized treatment and can only be used within a research framework.⁽²⁾

On April 13, 2017, the Canadian government introduced Bill C-45, legislation on the legalization of cannabis for recreational use. The bill, if adopted by the federal parliament, will come into force in summer 2018. While the federal government will be responsible for regulating production, adopting health and safety standards and establishing criminal prohibitions for cannabis, Quebec will be responsible for:

- ◆ Prevention
- ◆ Health promotion
- ◆ Public safety, including road safety
- ◆ Workplace management
- ◆ Distribution, sales and compliance with regulations
- ◆ Permit granting
- ◆ Sales and distribution monitoring

Quebec will prepare a framework bill to outline its guidelines on cannabis legalization which will be tabled at the National Assembly in fall 2017.

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In 2016, in a survey conducted for the Association pour la santé publique du Québec (ASPQ), findings showed that Quebecers think the government wants to legalize cannabis:⁽³⁾

- ◆ Out of opportunism (40%)
- ◆ To take control of the market (34%)
- ◆ **In the interest of public health** (15%)
- ◆ To acknowledge that cannabis use is not a problem (6%)
- ◆ Other reasons (5%)

Only 15% of respondents felt that the legalization of cannabis for recreational use was being done primarily in the interest of public health. Therefore, there is still a lot of work to be done to **clarify this legislation in the public eye**.⁽³⁾ Since cannabis is not a benign substance, legalizing it for recreational use raises several questions regarding health, education and public safety. Experts agree that the reasoning behind the legalization (to reduce harm) allows for progress in the fight against problems related to the use of psychoactive substances.^(1,4,5) For example:

- ◆ Because cannabis is illegal, users have no control over the quality of the product they acquire⁽¹⁾
- ◆ The black market generates violence between rival groups for shares of the market⁽¹⁾
- ◆ Criminalization of cannabis use makes it difficult to access health and social services for those in need⁽¹⁾
- ◆ Criminalization clearly generates significant legal costs that could be put toward financing activities for preventing cannabis consumption⁽⁴⁾

To achieve the objectives behind the legalization of cannabis products for recreational use, the government must educate and inform the public and, above all, **adopt measures to develop an environment that promotes a healthy lifestyle**.⁽⁶⁾ To minimize harm, we need to simultaneously develop framework measures to safeguard:

- ◆ The physical environment, for example, by ensuring that cannabis dispensaries should be a minimum distance from schools
- ◆ The sociocultural environment, for example, by studying the reasons why some believe that since cannabis products are natural, that they don't pose a threat to human health
- ◆ The political environment, for example, by updating a policy on drug use in the workplace
- ◆ The economy, for example, by introducing a tax on cannabis products

There is a general consensus that it is **imperative to protect youth** by delaying the age of initiation of use ^(1,4,5) and to develop a wide range of activities for prevention and health promotion.

2- It is essential to make a significant reinvestment in public health care before the legislation passes in order to reduce harm.

Healthcare professionals would like to remind the government that major cuts were made to activities for prevention and health protection and promotion between 2013 and 2017.

- ◆ Notwithstanding the new cuts to institutions between 2016 and 2017, public health faced a shortfall of nearly 40 million dollars.⁽⁷⁾
- ◆ The share of the portfolio of the Institut national de santé publique du Québec (INSPQ) financed by the Ministère de la Santé et des Services sociaux (MSSS) went down on average by 5% each year.⁽⁸⁾

As a result, there are much fewer public health professionals in the field and they no longer have solid ties with the education system or public safety. What's more, the liberal government began to centralize their activities in 2014.

Despite its key significance for the population, public health has always been a neglected part of Quebec's health system. Quebec's public health activities are not as well funded as in other Canadian provinces¹.

- ◆ Between 2012 and 2016, provincial governments allocated an average of 6% of their budget to public health, while Quebec only invested 3.2%.⁽⁹⁾
- ◆ Over the same period, provincial governments invested an average of \$288 per citizen in public health care, while Quebec only invested \$114 per citizen.⁽⁹⁾

The difference in allocation has a huge impact when it comes to rolling out local and provincial measures that are in line with the province's vision of an environment that promotes health. Mobilizing the health, education and public safety sectors also requires immediate access to resources. **Teams who work in mental health and with vulnerable populations need support in order to meet new needs.** We will therefore need the government to make a significant financial investment in the year before cannabis is legalized for recreational use. An eventual tax on cannabis products will not be sufficient to finance this investment because:

- ◆ Investments are needed well before the legislation comes into force, especially to protect youth

¹ Unlike other provinces, Quebec's data is based on expenses between 2012 and 2014, as expenses between 2015 and 2016 have not yet been processed by the CIHI.

- ◆ Revenue will be limited by the government's desire to crack down on the black market. If prices are too high, it may very well encourage consumers to buy cheaper products illegally.
- ◆ Taxes are regressive measures. We must take their impact on underprivileged groups into account in order to not increase their burden with good intentions.

In order for the revenue from an eventual tax on cannabis products to go toward funding framework measures or health promotion activities, the conditions need to be incorporated into legislation.

3- The marketing of cannabis products should not be controlled by private companies.

Healthcare professionals urge the government not to give in to the temptation, in whole or in part, to leave the marketing of cannabis products to private interests. **Profit-based logic is simply not compatible with a public health approach.**⁽⁴⁾ Experts say that the increase in cannabis use stems from marketing and not from legalization.^(1,4) Stakeholders in the cannabis industry are driven by financial incentives to use various marketing techniques to increase the consumption of their products and client loyalty.

- ◆ It is very difficult to separate marketing from a profit-based market logic;⁽⁴⁾
- ◆ Making it legal to sell cannabis, if supported by marketing strategies, could very well increase public consumption.⁽⁴⁾

In order to counter the profit-based logic, the INSPQ proposes a **not-for-profit approach for production and consumption and to have a governmental body govern regulation.**⁽⁴⁾ Remember that just like for tobacco and alcohol, we need to create framework measures for marketing cannabis products.

Marketing strategies are one of the main drivers of profit-based logic. They range from associations with spokespeople and lifestyles to packaging. For example, the wider the variety of products manufacturers can market through different packaging, types and potency, the wider the range of customers it can potentially reach. Manufacturing easily consumable, appealing cannabis products (e.g., chocolate cannabis edibles, candies) allows manufacturers to indirectly target particular groups, like youth.⁽⁴⁾

As regards marketing cannabis for medical use vs. recreational use, some feel it is necessary to maintain separate systems. The majority of patients who use cannabis out of necessity rather than choice are of this opinion.⁽⁵⁾ Others think that a separate system won't be necessary because lifting the ban will mean that people who need cannabis for medical reasons will be able to get it legally. This is the general opinion of the medical community.⁽⁵⁾

CONCLUSION

Healthcare professionals have identified three risks of misuse associated with legalizing cannabis for recreational use, risks that it would be in the government's interest to minimize:

- 1. All healthcare professionals should have a common understanding of the process of legalization, its objectives and the methods of achieving them.**
- 2. It is essential to make a significant reinvestment in public health care before the legislation passes in order to reduce harm.**
- 3. The marketing of cannabis products should not be controlled by private companies' interests.**

The FIQ is awaiting concrete proposals on the subject and the tabling of the framework bill to address issues inherent in the practice of healthcare professionals.

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