



Providing input on client marijuana use

Question: I am a licensed professional counselor working in a multidisciplinary practice focused on mental health and substance use disorders. The practice is owned by a psychiatrist. My state has passed legislation legalizing marijuana, but I am trying to figure out the potential risks to me if I endorse a client's decision to use marijuana or make recommendations to the client on such use. Can you offer any suggestions?

Answer: This is a good question and the answer is complex, both from a scientific/medical perspective and a legal/risk management perspective. The medical, mental health and law enforcement perspectives can be quite different. Additionally, the laws vary significantly, and how you handle this issue may be partly dependent on whether your state has passed legislation governing recreational use of marijuana versus medical use. Furthermore, your response may be partly guided by what types of products your client is considering — for example, use of cannabis oil, with low concentrations of THC (the main psychoactive component in marijuana) and higher concentrations of CBD (which is nonpsychoactive), versus smoking marijuana, which may have high concentrations of THC.

If you and your colleagues are treating clients who are presenting with substance use disorders, encouraging marijuana use could be viewed as detrimental to these clients' health. Additionally, some of the research indicates that marijuana use can exacerbate symptoms of conditions such as bipolar disorder and depression. Early onset of marijuana use and today's high potency of the drug can also increase the risk of developing a psychotic illness such as schizophrenia (see tinyurl.com/

[marijuanaconsequences](http://tinyurl.com/)). If you recommend or endorse use of marijuana by clients who have been diagnosed with such conditions, this could be viewed as being below the standard of care for licensed professional counselors and could expose you to civil liability, a licensure board investigation and possible sanctions. A licensure board could also take the position that your recommendation of marijuana use constitutes the “practice of medicine” in your state.

However, the risks to you may be very different in other circumstances. For example, if your role is simply supporting a client in chronic pain with stage 4 pancreatic cancer as she navigates treatment options, such action may be appropriate as long as you follow applicable laws. Likewise, you might refer a client to a physician for consideration of medical marijuana use if the client has disclosed to you that he became dependent on opioid medication following surgery. Again, your actions must be guided by applicable law.

You should be aware that 30 states, the District of Columbia, Puerto Rico and Guam now have laws governing marijuana or cannabis use for medical purposes (see tinyurl.com/StateMMLaws). However, marijuana use is still a federal offense, even if enforcement has not been active in recent years.

Although the issues are complex, here are several takeaways to consider and discuss with your colleagues in your group practice:

- ❖ Start with both education and training for you and the other mental health professionals in your practice on current scientific research regarding marijuana use, risks versus benefits and applicable laws.

- ❖ Consult with medical specialists and a local attorney as you develop compliance guidelines.

- ❖ Refer clients to their physicians for any medical advice. You may initiate an ongoing dialogue with clients and their physicians to facilitate coordination of care, especially in cases in which the client may be on multiple medications prescribed by different physicians.

- ❖ If your practice has a psychiatrist or other physician on staff, ask about their compliance with state laws, particularly when the physician must provide certification for medical marijuana use.

- ❖ If clients already have been diagnosed with substance use disorders, consider the increased risks of encouraging marijuana use.

- ❖ Find out what position, if any, your state counselor licensure board takes on involvement of counselors in endorsing use of marijuana.

- ❖ If working with a multidisciplinary team, ensure that everyone is on board with a complete informed-consent process (both verbal and written). Clarify your role within the team. ❖

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