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# FIVE WAYS STATES CAN UNIFY BEHIND MARIJUANA AND REAP THE BENEFITS

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Medical marijuana is now legal in 33 states, but some have been slow to reap the economic benefits. Advocates say this is because of a long legislative and legal process that delays the rollout of legalization and results in numerous restrictions.

"How the states regulate marijuana varies greatly," says Sarah Lee Gossett Parrish ([www.sarahleegossettpparrish.com](http://www.sarahleegossettpparrish.com)), a cannabis industry lawyer. "Each state has to decide how much a patient can possess, where and how they can obtain it, and what medical conditions warrant a physician's recommendation for its usage.

"The more permissive state regulatory systems result in more patients and usually in more dispensaries."

Oklahoma, though regarded as a conservative or red state, is viewed as one of the most liberal when it comes to medical marijuana laws, Parrish says. And about a year after voters approved medical cannabis in Oklahoma, business is booming in the state.

Now comes Oklahoma's "Unity Act," signed into law in March. Parrish says it was designed to streamline state regulation of medical marijuana without impeding commerce and imposing too many restrictions.

"The Unity Act further develops Oklahoma's medical marijuana program, an exemplary model for states that seek a more permissive regulatory scheme," Parrish says. "There are compromises added for employers, but overall it benefits the patients and entrepreneurs. Oklahoma rolled out its medical marijuana program quickly and efficiently, wisely avoiding the quagmire of regulations that strangle the industry in other states."

Parrish explains some key provisions of the Unity Act that promote the industry's growth while ensuring proper oversight:

**Sale of seeds.** “The Act includes language allowing commercial growers to sell seeds or clones to other commercial growers, thereby providing a much-needed legal way for new growers to obtain seeds and clones,” Parrish says. “Language that would also have allowed the sale by growers to patients or caregivers was deleted.”

**Patient confidentiality.** “The Act preserves confidentiality of patients and caregivers, making the handling of all records subject to all relevant state and federal laws, including HIPPA (Health Insurance Portability and Accountability Act of 1996),” Parrish says.

**Employment Issues.** The Act permits employers to refuse to hire workers for safety-sensitive jobs, examples of which are listed in the legislation. It provides that employers are not required to permit or accommodate the use of medical marijuana at the place of employment. “It also recognizes employers’ right to establish written policies about drug testing and impairment in accord with current Oklahoma law,” Parrish says.

**Seed-to-sale quality and safety checkpoints.** The Act requires a medical marijuana seed-to-sale inventory tracking system, and mandates quality testing



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by licensees. "This includes testing for contaminants and THC/CBD content," Parrish says.

**New licenses.** The Act creates a medical marijuana transporter license, a testing laboratory license, research license, a caregiver license and an education facility license. "These components show how the Unity Act represents a concerted effort to create a working framework for regulation and oversight," Parrish says.

"It's encouraging to see both sides of the aisle work together to achieve a common goal," Parrish says. "Oklahoma is on its way to becoming a thriving cannabis industry, and that's good news for everyone."

Sarah Lee Gossett Parrish ([www.sarahleegossettparrish.com](http://www.sarahleegossettparrish.com)) is a cannabis industry lawyer whom *The National Law Journal* named a 2019 Cannabis Trailblazer — one of only 30 trailblazers recognized in the nation.

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