

Canine Cannabis? Probably Not Just Yet

Should medical marijuana be given to animals? A bill is pending in the Rhode Island General Assembly that would make Rhode Island the first state in the country to permit veterinarians to prescribe medical marijuana to a domestic pet with a debilitating medical condition.

The proposed bill, introduced by Representatives Patricia Serpa, William O'Brien, and Charlene Lima, would amend Rhode Island's existing medical marijuana law to permit veterinarians to certify domestic pets as eligible to receive medical marijuana in the same manner as human patients. Once the veterinarian certifies the patient as eligible, the pet's owner would be able to obtain medical marijuana from one of the State's medical marijuana compassion centers.

The bill faces opposition from the Rhode Island Veterinary Medical Association. According to [published reports](#), RIVMA pointed out in a letter to the RI House Committee on State Government & Elections that "Cannabis-derived products that have been suggested as therapeutic agents for use in animals to-date are not FDA approved." The RIVMA letter also pointed out that the psychoactive-active component in marijuana, THC, "is highly toxic to dogs."

It is important to understand the effects that the underlying chemical compounds in cannabis products have in animals. Under federal law, marijuana is the *cannabis sativa* plant that contains more than 0.3% tetrahydrocannabinol (THC). When the same plant is bred to contain less than 0.3% THC, it is defined as hemp, which can be sold and used legally, subject to federal and state regulations. Marijuana contains both THC and cannabidiol (CBD) and other compounds. Hemp contains little THC, but often contains higher levels of CBD. The difference is important, because THC is highly toxic to animals, while CBD is considered non-toxic to humans and animals. So any prescriptions of medical marijuana for pets would have to be highly supervised by veterinarians to avoid toxic poisoning.

The bill also faces a number of potential legal hurdles. The largest obstacle is the fact that the use and sale of marijuana is still illegal under federal law, due to cannabis remaining a "controlled substance" under the Controlled Substance Act of 1970 (CSA). Despite the CSA prohibition, the use of marijuana for medical purposes is now legal in 36 states and 4 territories, and the use of marijuana for recreational purposes is legal in 17 states and 2 territories. This conflict of federal and state law creates a great deal of uncertainty in the cannabis and medical industries as to what is and is not permitted.

No other states currently permit the use of marijuana for pets. All of the state laws legalizing the sale and use of medical marijuana currently only apply to such sale and use by humans. As a result, veterinarians are reluctant to even discuss with or recommend to pet owners the use of marijuana for pets, in fear of running afoul of the federal prohibition. California is the only state to address this issue, with a 2018 law that permits veterinarians to discuss with a pet owner medical marijuana use in animals, but not prescribe medical marijuana for pets. As a result, pet owners are left to research and make decisions themselves about dosing and duration of medical marijuana treatment for their pets.

The House Committee recently recommended that the bill be held for further study. This greatly reduces the chances of passage this year.

Partridge Snow & Hahn's [Cannabis Advisory Practice Blog](#) provides updates on marijuana law and policy, covering some of the risks and opportunities in the industry, and makes recommendations regarding best practices. **If you are interested in receiving these updates via email, please submit the form below:**

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