

February 24, 2025

Dear Chair Prozanski and Members of the Senate Judiciary Committee:

This letter is in support of SB 176, specifically to support sections 34 and 35 which prohibit the use of tests for THC (cannabis) in employment decisions for registry cardholders.

It has come to my attention that some business groups are opposing sections 34 and 35 of SB 176, opposing efforts to prohibit employment decisions based on a positive drug screen for cannabinoids for medical OMMP cardholders. I respect their desire to shape their workforce, but I feel compelled to correct the myths and misunderstandings about employment-related drug testing. I am a small business owner in Oregon. My work focuses on public health and environmental analyses.

In 2021, I compiled a paper and meta-analysis on employment drug testing in Oregon. (My findings were shared and on record with the 2022 Senate and House Health Committees). The findings outlined and dispelled many of the myths used today to continue the practice.

There is no body of scientific or safety evidence to support that drug testing leads to a safer workplace. There are no federal mandates for drug testing, other than for specific contracts or grants under the US DOT and the US NRC. The Drug Free Workplace Law does not mandate drug testing. Businesses compliance with Drug Free Workplace laws are not dependent on drug testing for compliance.

THC drug testing does not relate to impairment. Yet it's ironic that despite acknowledging the absence of a relationship between THC test results to impairment or any safety metric, supporters continue to use safety as the top rationale to justify this practice.

Oregon recognizes cannabis as a generally safe consumer product for adults. Oregon also recognizes cannabis as a state-legal medicine. Pre-employment drug testing for THC (or any other cannabinoid testing), due to the long detection time of cannabinoids, de facto results in surveillance of employee off-duty consumption, and this does not align with the state's position on cannabis as a regulated consumable commodity and the privacy expected when engaging in lawful personal activities. This is especially troubling for those who receive medical recommendations to use this state regulated medicine.

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