



DEPARTMENT OF VETERANS AFFAIRS
Office of the General Counsel
Washington DC 20420

MAR - 5 2010

In Reply Refer To:

Mr. Michael Krawitz
3551 Flatwoods Road
Elliston, Virginia 24087

Dear Mr. Krawitz:

This is in response to your recent correspondence regarding the use of marijuana by veterans under treatment for pain in VA medical centers. In your letter you state that in some cases, veterans who are receiving opiates for the treatment of pain are being denied that treatment when they test positive for marijuana. You note, however, that veterans at other VA medical centers are not being denied opiate treatment under these circumstances. Further, you state that some VA medical center Directors have issued explicit policies stating that testing positive for marijuana *will not* serve as a breach of an opiate pain management agreement if the patient submits documentation stating that the marijuana has been dispensed in conformity with state law. You ask me to confirm the validity of the VHA policies stating that testing positive for marijuana will not serve as a breach of an opiate pain management agreement.

The question of whether it is safe and appropriate to continue to prescribe opiates for pain to a patient who is also using marijuana is a medical issue rather than a legal issue. I have therefore referred your question to Veterans Health Administration so they can consider the questions that you pose.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Will A. Gunn", is written over a horizontal line.

Will A. Gunn
General Counsel