Introduction

As the workers’ compensation industry battles the spread of opioid abuse in the United States, new methods for the treatment of pain have entered the conversation. Since the 1990’s, prescription opioid use and abuse have nearly quadrupled. Today, one in four people receiving long-term opioid prescriptions becomes addicted and around 91 Americans die from opioid-related drug overdoses daily. In 2016, the Center for Disease Control (CDC) released guidelines for prescribing opioids and in 2017, the federal government declared a state of emergency in hopes of curtailing the widespread abuse. At the same time, the medical community is searching for alternative treatments for chronic pain, and many have turned their attention toward marijuana.

Because of its purported medical benefits and allegedly low risk of addiction, marijuana has been proposed as a possible alternative to opioids. Anecdotes suggest that marijuana may be effective in treating pain, among other ailments, and has few detrimental side effects. Several states have taken the lead in legalizing marijuana for medicinal purposes, but the drug remains illegal federally, which poses many challenges for researchers, employers and insurers alike. With these gaps in legislation come countless questions. Is this drug efficacious and does it provide the benefits that many claim? How do employers and insurers navigate the complicated and conflicting legislation that exists at both the state and federal levels? What does the legalization (or lack thereof) of marijuana mean for the future of the workers’ compensation industry?

With nearly 50 million adults suffering from chronic and severe pain in the United States, workers’ compensation insurers are looking for the most effective ways to get injured employees back to work. Is
marijuana the answer? This paper will explore the possibility of substituting medical marijuana for opioids, current regulations on marijuana, and future implications for the workers’ compensation industry.