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POLITICS

# Feds Withdraw Health Grants For Schools That Allow Medical Marijuana, Maine Official Says



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By **Kyle Jaeger** 



Maine's Education Department announced this month that it is no longer eligible for certain federal funds to support mental health programs in schools because the state allows students to access medical marijuana.

The Substance Abuse and Mental Health Services Administration (SAMHSA) quietly rolled out a new policy last year barring individuals and organizations from receiving grants if they're used directly or indirectly to provide for cannabis treatment. It also stipulated that its federal dollars can't go to institutions that provide or permit "marijuana use for the purposes of treating substance use or mental disorders."

In other words, when it comes to the already-approved \$3.3 million worth of school grants at play in Maine, the federal agency determined that it is so concerned about permitting the use of medical marijuana by a relatively small number of students that it is threatening to undermine school education programs that are specifically meant to support mental health and substance misuse prevention programs for all students.

Maine Education Commissioner Pender Makin said in a letter to Superintendent Deb Alden on May 6 that the state is ineligible for continued funding "because of our state's medical marijuana law, which requires schools to allow students who have written certification from their medical provider indicating their need for medical marijuana to receive such treatment while at school." The Sun Journal first reported the letter.

"SAMHSA has a new requirement starting in Year 3 requiring recipients of Aware grants to guarantee that funding will not be provided to organizations who permit the use of marijuana for the treatment of mental illness or of substance use disorder," the commissioner wrote. "Maine schools have a statutory obligation to permit such use if a student holds a written certificate that requires it."

Past year applications for SAMHSA's Advancing Wellness and Resilience in Education (AWARE) grant program didn't include language stating that state-legal cannabis policies could disqualify organizations from receiving the funds. For the fiscal year 2020 application, however, the agency said the following:

"SAMHSA grant funds may not be used to: Directly or indirectly, purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders."

It's not clear whether SAMHSA proactively reached out to applicants or past recipients in states with laws allowing medical cannabis at schools to flag the policy change or if Maine officials determined they were ineligible independently based on a reading of the revised form. Representatives from SAMHSA and the Maine Department of Education were not able to immediately respond to questions raised by Marijuana Moment.

"Medical marijuana is a prescribed medicine for many Mainers, and Maine residents have the right to access the medicines that are prescribed by licensed medical professionals," U.S. Rep. Chellie Pingree (D-ME) told Marijuana Moment. "By denying Maine the continuation of a significant mental health programming grant, the U.S. Department of Health and Human Services has undermined Maine schools' ability to provide support services for their students."

“During this stressful time, letting ideological views degrade mental health resources will harm young people in Maine,” she said.

Maine’s medical marijuana law allows individuals to obtain a cannabis recommendation for any condition that a physician deems fit. It also protects students from being denied attendance at schools solely because they possess a medical marijuana card, and schools must provide reasonable on-campus accommodations for students to use non-smokable cannabis for their conditions.

“Because of these provisions in Maine law, we are ineligible for participation in the AWARE grant program after September 30th, 2020,” Makin said. “I am very sorry to share this news with you, and deeply appreciate your advocacy on behalf of your students.”

Maine isn’t the only state with such at-school medical marijuana policies on the books, however. According to Americans for Safe Access, 12 states and Washington, D.C. allow students to access medical cannabis in schools.

It stands to reason that schools in states such as Illinois, Colorado and New Jersey, for example—which provide such reasonable accommodations for students with cannabis recommendations to possess and consume non-smokable forms of marijuana—could also miss out on federal grant funds.

In Florida and Washington State, the decision about whether to permit such activity on school grounds is up to the district, so eligibility for the SAMHSA program may be different across districts.

In November 2019, SAMHSA announced that that its marijuana policy change will also impact organizations applying for its two main opioid treatment program and another that provides funding to combat alcoholism and substance misuse. The Illinois Department of Human Services and Oregon Health Authority said the rule meant it would not be eligible for certain grants.

A search of SAMHSA’s website shows that the prohibition also applies to other grant programs administered by the agency.

**Read the letter from Maine’s education commissioner below:**

[Maine commissioner on eligi...](#) by [Marijuana Moment](#) on Scribd

