

Cannabis and Opioids



The United States is in the midst of an opioid epidemic. Drug overdose is now the leading cause of accidental death in the U.S. Of the 52,000 overdoses in 2015, there were 20,101 of those deaths related to prescription pain relievers and another 12,000 related to heroin, according to the American Society of Addiction Medicine.

This crisis is now the subject of litigation and is affecting businesses, schools, workplaces and the healthcare industry.

1 out of 10 injured workers in Pennsylvania is a long-term opioid user, according to a report on nationwide workers' compensation addiction issues that was published in an Associated Press report in April of 2017.

According to a survey by CompPharma, an industry group, more than \$1.5 billion was spent on opioids by workers' compensation insurers in 2015.

State laws legalizing the use of cannabis require employers to rethink their drug testing policies. Many of those same laws protect employees and applicants who are certified to use for medical purposes from retaliation and require employers to take certain steps before disciplining or terminating employees.

Employers and companies are trying to navigate changing laws and policies and know that there is a constant risk of legal problems.

At Weber Gallagher, we have handled cannabis and opioid-related cases in the areas of workers' compensation, employment, medical malpractice, the hospitality industry and education. We also defend doctors and other healthcare professionals in lawsuits and investigations involving prisoners' claims that they are being denied opiates or limited in their access to opiates while incarcerated. We are equipped to defend employers, doctors, hospitals and healthcare institutions in matters involving:

- Cannabis in the workplace
- Liability in prescribing opioids at colleges and universities
- Drug testing at schools and workplaces
- Employees with addiction issues
- What employee handbooks need to say about opioids
- Overprescribing of opioids
- Pre-employment and employee drug testing (random, scheduled and post-accident policy development)
- Opioids and the Americans with Disabilities Act
- Alternative methods of pain management
- Cumma
- DOT regulations on opioid use and testing in Commercial Transportation
- Responding to positive drug tests for employees using cannabis
- Represent carriers when facing the issue of paying or covering the cost of cannabis