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A New Year Ushers in New Marijuana Legislation and New Challenges for Healthcare HR Professionals



Several US state and local jurisdictions are enacting new laws regarding marijuana use and screening this year. These regulations will have a significant impact on healthcare hiring.

Illinois

On January 1, Illinois' Public Act 101-0593 went into effect. This includes amendments to the Illinois Cannabis Regulation and Tax Act to clarify that employers may still require and conduct workplace drug testing.

You can read key highlights of the act and how these amendments address questions posed from the original law by [clicking here](#).

Nevada

Another law that went into effect on January 1 was [Nevada's A.B. 132](#), which amended [Section 613 of the Nevada Revised Statutes](#).

This regulation prohibits Nevada employers from denying employment to prospective candidates as a result of the presence of marijuana in screening tests. The Law states that positive results for marijuana from screening tests on a prospective employee's blood, urine, hair, or saliva may not be considered as a basis for denial of employment.

Read more about this law, considerations and exceptions [here](#).

New York City

On April 9, 2019, the New York City Council passed a first-of-its-kind bill that prohibits pre-employment drug testing for the presence of marijuana or tetrahydrocannabinols (THC). Effective on May 10, 2020, the law does not prohibit employer drug-testing programs that test existing employees for marijuana.

The law amends [Section 8-107](#) of the New York City Administrative Code by adding subdivision 31 to specifically prohibit employers, labor organizations, employment agencies or their agents from requiring job applicants to submit to testing for the presence of any marijuana or tetrahydrocannabinols as a condition of employment.

Read Sterling's summary of this regulation [here](#).



Resources for You

In 2019, Sterling's Healthcare and Life Sciences team partnered with subject matter experts from Locke Lord, presenting a webinar that explores "HR Legislation in the Stoned Age: Marijuana Legalization." Topics that were discussed in the webinar included:

- Practical Testing Strategies & Considerations: Who should be tested?
- Legal Recreational or Medical Use: What does it mean for your hiring practices?
- Trending Drug Screening Practices in States Where Marijuana is Legal
- What's on The Horizon: New state and federal regulations to come

You can watch this webinar on-demand by [clicking here](#). You can also [read a blog post](#) that the Healthcare team authored on the topic.

Stay up-to-date with all the latest on marijuana legislation at [Locke Lord's Cannabis blog](#).

If you have questions about how any marijuana legislation may affect your hiring practices, Sterling's Healthcare and Life Sciences experts would be happy to talk with you. Schedule a time to talk with us by sending an email to SterlingHealthcare@sterlingcheck.com or by calling 833-999-0493.

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