

MASSACHUSETTS SUPREME JUDICIAL COURT

Daniel Wright's Case

Wright's Case, SJC-12873 (Mass. Oct. 27, 2020) · No. SJC-12873 · Decided October 27, 2020

SUMMARY

The Massachusetts Supreme Judicial Court held that a workers' compensation insurer could not be required to reimburse an employee for medical marijuana expenses. The court relied on the Massachusetts medical marijuana law's provision stating that nothing in the law requires a health insurance provider or government agency to reimburse such expenses, concluding that this specific provision controls over the general workers' compensation requirement to pay reasonable and necessary medical expenses. The court affirmed the denial of Daniel Wright's reimbursement claim.

CASE DETAILS

COURT	Massachusetts Supreme Judicial Court
WRITING FOR THE COURT	Kafker, J.; Gants, C.J.; Lenk, J.; Gaziano, J.; Lowy, J.; Budd, J.; Cypher, J.
JURISDICTION	Massachusetts
DECIDED	October 27, 2020
DOCKET	SJC-12873
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a decision of the Industrial Accident Reviewing Board; the Supreme Judicial Court transferred the case from the Appeals Court on its own initiative.
STANDARD OF REVIEW	The court reviewed the board's decision under Mass. Gen. Laws ch. 30A, § 14(7). It applied de novo review to the interpretation of the medical marijuana statute and other laws not administered by the department, while noting that the department's interpretation of statutes it administers ordinarily receives deference.
PRECEDENTIAL VALUE	Published Massachusetts Supreme Judicial Court opinion; precedential.
PARTIES	Daniel Wright v. Central Mutual Insurance Company

TOPICS

workers compensation

health law

insurance

statutory interpretation

judicial review of agency action

PRACTICE AREAS

workers compensation

health law

insurance

administrative law

statutory interpretation

QUESTIONS PRESENTED

1. Whether a workers' compensation insurer may be compelled to reimburse an employee for medical marijuana expenses under the general workers' compensation provisions requiring payment of reasonable and necessary medical expenses.
2. Whether the Massachusetts medical marijuana act's provision stating that it does not require a health insurance provider or government agency or authority to reimburse medical marijuana expenses applies to workers' compensation insurers and the Workers' Compensation Trust Fund.
3. Whether federal illegality or federal preemption independently bars the requested reimbursement.

HOLDINGS

1. A workers' compensation insurer may not be compelled to reimburse a claimant for medical marijuana expenses because the Massachusetts medical marijuana act expressly provides that nothing in the act requires a health insurance provider to reimburse such expenses.
2. Workers' compensation insurers are health insurance providers for purposes of the medical marijuana act's reimbursement limitation because workers' compensation insurance provides medical expenses and associated health care payments.
3. The Workers' Compensation Trust Fund may not be required to reimburse medical marijuana expenses because it is a government entity within the medical marijuana act's prohibition on requiring a government agency or authority to reimburse such expenses.
4. The court did not decide whether federal law independently preempts the Massachusetts medical marijuana scheme or whether reimbursement would violate the Controlled Substances Act because the state reimbursement limitation resolved the case.

KEY QUOTATIONS

“Under the plain language of this provision, those insurers are not required to reimburse medical marijuana expenses for a substance that remains illegal under Federal law.” (3-4)

“In sum, neither Central Mutual nor the trust fund can be ordered to reimburse Wright for his medical marijuana expenses, as the medical marijuana act does not provide for such third-party reimbursements.” (32)

“Accordingly, the claimant's medical marijuana expenses are not compensable.” (32)

FACTUAL BACKGROUND

Daniel Wright suffered work-related right-knee injuries in 2010 and 2012, eventually developing complex regional pain syndrome and chronic pain. In 2013, he was certified to use medical marijuana, which reduced his pain and allowed him to stop using opioids. He sought \$24,267.86 in workers' compensation reimbursement for medical marijuana expenses, and the insurer stated that it would seek reimbursement from the Massachusetts Workers' Compensation Trust Fund if ordered to pay.

PROCEDURAL HISTORY

Wright sought workers' compensation reimbursement for medical marijuana expenses incurred to treat chronic pain from work-related knee injuries. An administrative judge denied the claim, concluding that federal illegality and the Massachusetts medical marijuana act precluded reimbursement. The Industrial Accident Reviewing Board affirmed, and the Supreme Judicial Court affirmed the board's decision after transferring the appeal from the Appeals Court.

DISPOSITION

affirmed

CASES CITED

- Gonzales v. Raich, 545 U.S. 1, 10, 13, 14, 29 (2005)
- Gonzales v. Oregon, 546 U.S. 243, 250 (2006)
- United States v. Oakland Cannabis Buyers' Cooperative, 532 U.S. 483, 491, 493-494 (2001)
- Barbuto v. Advantage Sales & Marketing, LLC, 477 Mass. 456, 458, 460, 461, 464-468 (2017)
- Commonwealth v. Canning, 471 Mass. 341, 345 (2015)
- Commonwealth v. Richardson, 479 Mass. 344, 349 n.7 (2018)
- Spaniol's Case, 466 Mass. 102, 106 (2013)
- Camargo's Case, 479 Mass. 492, 497 (2018)
- Ajemian v. Yahoo!, Inc., 478 Mass. 169, 184 (2017), cert. denied sub nom. Oath Holdings, Inc. v. Ajemian, 138 S. Ct. 1327 (2018)
- McElroy's Case, 397 Mass. 743, 750 (1986)
- Bourgoin v. Twin Rivers Paper Co., 2018 ME 77, ¶¶ 27, 29-30
- Appeal of Panaggio, 172 N.H. 13, 19 & n.2 (2019)
- Lewis v. American General Media, 2015-NMCA-090, ¶ 32
- Commonwealth v. Cruz, 459 Mass. 459, 470-471, 473 (2011)
- Estate of Moulton v. Puopolo, 467 Mass. 478, 483 (2014)
- Letteney's Case, 429 Mass. 280, 282, 284 (1999)
- Benoit v. Boston, 477 Mass. 117, 125-126 (2017)
- Neff v. Commissioner of the Department of Industrial Accidents, 421 Mass. 70, 75 (1995)
- Commonwealth v. Long, 482 Mass. 804, 811 (2019)

