

## Supreme Court upholds public health rights of States

Contributed by Chris Conrad

The US Supreme Court Jan. 17 affirmed the power of States to control their own public health policies, in a 6-3 ruling that upheld Oregon's Death With Dignity Act. State voters passed the 1997 initiative to legalize physician-assisted suicide for terminal patients.

The Court focused on the historic role of States in regulating medicine and safeguarding public health. It reaffirmed their power to pursue measures that are novel, controversial or face strong disapproval elsewhere. The Court read the Controlled Substances Act as respecting that role.

Two lower courts also ruled against the Attorney General, but the case made its way to the Supreme Court. The American Public Health Association and the Drug Policy Alliance submitted amicus briefs to the Court, urging it to reject the government's all-encompassing view of the CSA.

Justice Clarence Thomas dissented from the decision, saying it is inconsistent to rule against States Rights on medical marijuana, but for them on suicide.