

TESTIMONY OF CHARLES ROCHA  
BEFORE THE PENNSYLVANIA HOUSE OF REPRESENTATIVES  
COMMITTEE ON HEALTH AND HUMAN SERVICES  
ON HB 1393 COMPASSIONATE USE ACT OF 2009

Good morning, Chairman Oliver and Baker, and Members of the Committee. I am Charles Rocha from Allegheny County.

I am submitting this testimony to urge passage of the Compassionate Use Act of 2009 (HB 1393) by this Committee and the General Assembly.

In January of this year 2009, my mother, Sally Naylor, died after a long battle with cancer. The cancer began to attack in her breast over ten years ago. It was removed, but slowly and painfully it grew back and moved to her other breast where it was removed once again, with her breast. She underwent many treatments of radiation and chemotherapy, all of which have horrifying side effects such as vomiting, nausea, dizziness, sleepiness, etc.

In her last three years of life the cancer re-developed, moved into her bones, and eventually attacked her spinal fluid, where the cancer cells were able to grow floating tumors in her brain. By 2008, my mother was in bed almost all day. She would try so hard to get out of bed and spend time with her family, but we could all see how difficult this had become. Most of the time we spent with her in this last year was by her bedside.

At this point, while the cancer was developing in her bones, she was prescribed to treatments of Aredia, a drug which helps slow down the cancers' breaking down of the bone. She was also going through excruciating pain. She talked to her doctor about a medication that could help relieve this pain. Marijuana was never talked about between my mother and her physician. Instead, the doctor wrote my mother a prescription for the very powerful, highly addictive painkiller patch, Fentanyl. My mother had always steered clear of opiate-based medication because they always made her feel worse than the symptoms she was trying to alleviate. She would feel nauseous and throw up if given too much opiate based pharmaceutical treatment.

My mother and I had a very close relationship. When I was a teenager she encouraged me not to smoke pot. But I could talk to her about anything, and I never hid from her the fact that I found relief from anxiety, depression and loneliness in high school by smoking marijuana. While she did not condone my use, she understood my feelings and was open with me about her occasional use of marijuana when she was my age. She urged me to stop though and wait until I was older to make decisions like this about my health and wellness. My mother also urged me not to take my Ritalin when the private school I was attending told me "I needed it!" I never did swallow my Ritalin pills as the private school watched over me, and I was confident in my mother's decision making years later when reports came out about the aftermath of widespread Ritalin use (high addiction to stimulant drugs for Ritalin users in their future.) She was a smart, thoughtful mother and I miss her everyday. She taught me many things.

About a year before my mother passed away we went to the beach with my brother to watch a full moon rise out of the sea in Fort Lauderdale, Florida, where my mother lived at the time. While we were waiting for my brother on the beach my mother admitted to me that one of her friends, also a cancer patient, had given her a joint to relieve some of her pain and nausea from the chemo treatments they were

both receiving. I hardly looked at my mother or her cancer patient friend as if they were criminals, although, in this country, their possession of the plant rolled in a paper was a federal crime. My mother felt silly and wrong for bringing it up to me. I told her not feel that way, and that the power of that medicine would someday be used to help cure and relieve people who were going through the same thing that she was. With that, we lit up the marijuana cigarette and had a toke on the beach, our first time smoking together. She was 52 and I was 24. It was a beautiful spiritual connection that we had that night, and I will never forget it. We laughed and shared memories, held each other on the sand and enjoyed the moment. We were not criminals. We were a mother and her son and we were finding relief from the horror of disease and cancer. We both knew that time was running out. But on that night, we laughed and watched the moon rise, in awe of the power of nature. The beach, the ocean, the moon and that plant.

Why does our government define us as criminals? You are the Committee on Health and Human Services. Are we humans or criminals? You have the power to make that decision today.

In the last months of her life, I watched my mom become highly addicted to her Pharmaceutically created need to relieve pain. Her bones were breaking down. She was prescribed to high powered Fentanyl Patches and she was sucking down Fentanyl lollipops as well. With the lollipops she could take little bits of medication at a time, which she preferred, whereas the patches would stick to her skin for 3 days straight and give her a constant supply of Fentanyl, the opiate based drug she had pleaded with her doctor not to be given. Now she was addicted. She was taking so much Fentanyl that there was no way to regulate it. The doctors threw their hands up in the air and told her to take whatever she wants, whenever she wants, and to eat whatever she wants. It seemed as though everyone had given up. My mother was going to die soon.

The true horror in watching this happen to my mother came when she would run out of her prescription lollipops. She was prescribed 30 for a month, 1 per day, except the months that had 31 days of course. Sometimes she would run out of her 30 lollipops early, say on the 25<sup>th</sup> day of the month. We would make calls to the pharmacy and they would say, "Well, we have your mother's medication, but we cannot release it for another 5 or 6 days because the insurance company doesn't want to pay for it yet." So my mother would lie in bed, in brutal pain, bones falling apart, waiting for the insurance company to lift the gate so she could get her pain killer, which was sitting on a shelf down the road with her name on it. I would wake up in the room next to my mother's at 4 in the morning and she would be screaming in agony for her medicine. Screaming that her body hurts and that her bones were falling apart. I wonder what this stress and pain did for the acceleration of the cancer cells. Cancer thrives on stress.

My grandfather would have enough and he would go to the pharmacy and pay for the medicine out of his pocket. For 30 little lollipops of Fentanyl it cost my grandfather \$1000. You see, he didn't get the insurance discount rate of \$500 per 30. He wasn't buying in bulk. My grandmother, a conservative 79 year old British girl even asked my mother, "Do you think Marijuana will help?" My grandmother never took a drug in her life, and for her to be asking these questions means that ordinary people know exactly what Big Pharma has been trying to hide from us. And it's not a pharmaceutical solution, it's a biological one. The Marijuana plant has medicinal uses and can help alleviate pain in patients, without the addictive and debilitating side effects of opiate based pain killers. That seems to be the problem for Big Pharma and their friends in the federal government.

Why were there not other medicines available to my mother? She pleaded not to be put on opiates but it seemed as though that's all the pharmaceutical

industry had to offer. Because of this negligence by Big Pharma, the federal government and the insurance companies, my mother had to die in this painful manner. Can we not all come to our senses and say, "If a person is dying in excruciating pain, and they want Marijuana, let them have their marijuana?" The marijuana plant should be legal for medicinal use, and in fact, the plant should be used industrially as well. It has many benefits.

My mother spent her last week of life in a hospice bed. She could not speak and I never got to hear her say goodbye. She was given a constant dose of Dilaudid, which again, she asked not to be given previously in hospital stays. Dilaudid is another painkilling pharmaceutical concoction which can slow down respiratory systems. This drug kept her drowsy and asleep in her final days. She stopped breathing on January 25, 2009.

My questions for this Committee are as follows. What role did Marijuana play in my mother's disease and/or treatment? Could it have played a more important role? Could my mother's wishes have been accommodated a little bit more by the medical/pharmaceutical/insurance industry if medical marijuana were an option? What role did government play in the quality of life my mother was offered in her final days on earth? What role does government play in all of these decisions affecting people's health on the issue of Medical Marijuana? Should my government have the authority to outlaw a plant of nature with proven medicinal benefits? I am eager to hear your response to these questions.

Thank you for this opportunity to be heard, and for my mother's story to be told.

Sincerely,

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