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Daniel Deacon, Andrea Chavez, and Emily Toler Scott Authored Bloomberg Law's "Marijuana Rescheduling's Next Stage Is Crucial for Employers"

Conn Maciel Carey LLP attorneys – Daniel Deacon, Andrea Chavez, and Emily Toler Scott – authored Bloomberg Law's "Marijuana Rescheduling's Next Stage Is Crucial for Employers"

The following is an excerpt from the article:

Marijuana is the most commonly used drug in the US. The National Center for Drug Abuse Statistics estimates that 61.5 million people, or 23.4% of US adults, used marijuana in 2024, and that 44 million Americans used marijuana monthly. With states continuing to expand legalization, it stands to reason that use is even more widespread today.

Accordingly, employers are no stranger to navigating state laws that allow some use of marijuana. But what does this change in the federal approach mean?

For most employers, probably not much. One of the more notable exceptions is for employers that employ commercial-driver's-license drivers regulated by the Department of Transportation. The DOT's mandatory testing authority flows through the Department of Health and Human Services, which issues the Mandatory Guidelines for Federal Workplace Drug Testing Programs. The guidelines authorize regulated employers to test only for substances listed in Schedules I and II of the Controlled Substances Act. The DOT is actively monitoring the federal government's efforts to reschedule cannabis and will act, if necessary.

[Click here to read the full article on Bloomberg Law.](#)