

SENATE BILL 923

J1

4r1660
CF HB 881

By: **Senators Raskin, Brinkley, Feldman, Forehand, Frosh, Jacobs, Madaleno, Mathias, Montgomery, Muse, Stone, Young, and Zirkin**

Introduced and read first time: January 31, 2014

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2014

CHAPTER _____

1 AN ACT concerning

2 **Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission**

3 FOR the purpose of altering the purpose of the Natalie M. LaPrade Medical Marijuana
4 Commission to include the ~~registration and regulation~~ approval of certain
5 physicians, the publishing and dissemination of certain information, and the
6 research of certain issues; requiring the Commission to develop certain
7 identification cards; requiring the Department of Health and Mental Hygiene to
8 adopt certain regulations; authorizing the Commission to set reasonable fees to
9 cover certain costs; altering the contents of the Natalie M. LaPrade Medical
10 Marijuana Commission Fund to include certain fees collected by the
11 Commission; requiring the Commission to approve certain individuals as
12 certifying physicians; requiring a physician to submit a certain proposal to the
13 Commission to be ~~registered~~ approved as a certifying physician; encouraging
14 and authorizing the Commission to approve certain applications; prohibiting a
15 certifying physician and certain family members of a certifying physician from
16 being employed by, receiving any compensation or gifts from, or having any
17 financial interest in a medical marijuana grower or a medical marijuana
18 treatment center; providing that a qualifying patient may be a patient of the
19 certifying physician or referred to the certifying physician; requiring a certifying
20 physician to provide each written certification to the Commission; requiring the
21 Commission to issue certain identification cards under certain circumstances;
22 authorizing a certifying physician to discuss medical marijuana with certain
23 patients; providing that certain qualifying patients and caregivers may obtain
24 medical marijuana only from a medical treatment center licensed by the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Commission; providing that certain qualifying patients may obtain medical
2 marijuana only through the patient's caregiver; requiring each certifying
3 physician to submit a certain annual report to the Commission; authorizing a
4 certifying physician to apply for a renewal of a registration on a certain basis;
5 requiring the Commission to grant or deny a renewal of a registration based on
6 a certifying physician's performance in complying with certain regulations;
7 ~~providing that a certifying physician shall be protected from certain penalties~~
8 ~~for certain actions;~~ altering the contents of a certain report the Commission is
9 required to make to the Governor and General Assembly each year; altering the
10 number of medical marijuana growers the Commission may license; altering the
11 entities to which a licensed medical marijuana grower may provide marijuana;
12 providing for the term of an initial and a renewal medical marijuana grower
13 license; providing for the form of an application to operate as a medical
14 marijuana grower; requiring the Commission to set certain standards for
15 licensure; requiring each medical marijuana grower agent to obtain a criminal
16 history records check; encouraging the Commission to license medical
17 marijuana growers that grow certain strains of marijuana and prepare medical
18 marijuana in a range of routes of administration; requiring the Commission to
19 actively seek to achieve racial, ethnic, and geographic diversity and to
20 encourage certain applicants when licensing medical marijuana growers;
21 requiring certain growers to submit a certain annual report to the Commission
22 beginning on a certain date; requiring an entity seeking licensure as a medical
23 marijuana grower to meet local zoning and planning requirements; prohibiting
24 a medical marijuana grower agent and certain family members of a medical
25 marijuana grower agent from being employed by, receiving any compensation or
26 gifts from, or having any financial interest in a certifying physician or a medical
27 marijuana treatment center; authorizing an entity licensed to grow marijuana
28 under certain provisions of law to provide marijuana ~~to certain patients or~~
29 ~~certain caregivers~~ only to certain programs and certain licensed medical
30 marijuana treatment centers; requiring an entity licensed to grow marijuana
31 under certain provisions of law to ensure that certain safety precautions are
32 followed by certain facilities; requiring a medical marijuana treatment center to
33 be licensed by the Commission; requiring an applicant to be licensed as a
34 medical marijuana treatment center to submit to the Commission a certain
35 application fee and a certain application; authorizing the Commission, during a
36 certain time period, to issue a certain number of licenses; authorizing the
37 Commission, under certain circumstances, to increase the number of licensed
38 medical marijuana treatment centers; prohibiting a medical marijuana
39 treatment center agent and certain family members of a medical marijuana
40 treatment center agent from being employed by, receiving any compensation or
41 gifts from, or having any financial interest in a certifying physician or a medical
42 marijuana grower; prohibiting certain entities and agents from being arrested
43 or penalized for certain actions; requiring that medical marijuana treatment
44 center agents meet certain qualifications; requiring medical marijuana
45 treatment centers to apply to the Commission for registration cards for certain
46 agents by submitting certain information; requiring, under certain
47 circumstances, medical marijuana treatment centers to notify the Commission

1 and return registration cards of certain agents to the Commission within a
 2 certain time period; requiring the Commission, on receipt of a certain notice, to
 3 immediately revoke certain registrations and, under certain circumstances,
 4 notify the Department of State Police that certain registration cards have not
 5 been returned; prohibiting the Commission from registering certain persons as
 6 medical marijuana treatment center agents; requiring an applicant for certain
 7 criminal history records checks to submit to the Criminal Justice Information
 8 System Central Repository of the Department of Public Safety and Correctional
 9 Services certain sets of fingerprints and certain fees; requiring the Central
 10 Repository to forward to the Commission and the applicant certain information;
 11 authorizing, under certain circumstances, the Commission to accept an
 12 alternate method of criminal history records checks as permitted by certain
 13 individuals; providing that certain information obtained from the Central
 14 Repository is confidential, may not be disseminated, and may be used only for
 15 a certain purpose; authorizing the subject of a certain criminal history records
 16 check to contest the contents of a certain statement; adding to the persons that
 17 may not be subject to arrest, prosecution, or certain penalties, or be denied any
 18 right or privilege, for the medical use of marijuana; providing that a person may
 19 not distribute, possess, manufacture, or use marijuana that has been diverted
 20 from a qualifying patient; providing that this Act may not be construed to
 21 require a hospital or hospice program to report certain information to the
 22 Commission; requiring the Commission to adopt certain regulations on or before
 23 a certain date; requiring the Commission to report to certain committees of the
 24 General Assembly on or before a certain date each year on incidents of
 25 marijuana use by minors; requiring the Commission to study and report its
 26 recommendations to the General Assembly on how to provide access to medical
 27 marijuana for certain veterans; defining certain terms; making certain
 28 conforming changes; and generally relating to the Natalie M. LaPrade Medical
 29 Marijuana Commission and medical marijuana.

30 BY repealing and reenacting, with amendments,

31 Article – Health – General

32 Section 13–3301 through 13–3303 and 13–3307 through 13–3311

33 Annotated Code of Maryland

34 (2009 Replacement Volume and 2013 Supplement)

35 BY adding to

36 Article – Health – General

37 Section 13–3307 ~~and 13–3313~~, 13–3310, 13–3311, 13–3312, and 13–3316

38 Annotated Code of Maryland

39 (2009 Replacement Volume and 2013 Supplement)

40 BY repealing and reenacting, without amendments,

41 Article – Health – General

42 Section 13–3304 through 13–3306

43 Annotated Code of Maryland

44 (2009 Replacement Volume and 2013 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Health – General**

4 13–3301.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Academic medical center” means a hospital that:

7 (1) Operates a medical residency program for physicians; and

8 (2) Conducts research that is overseen by the federal Department of
9 Health and Human Services and involves human subjects.

10 **(C) “CAREGIVER” MEANS:**

11 **(1) A PERSON WHO HAS AGREED TO ASSIST WITH A QUALIFYING**
12 **PATIENT’S MEDICAL USE OF MARIJUANA; AND**

13 **(2) FOR A QUALIFYING PATIENT UNDER THE AGE OF 18 YEARS, A**
14 **PARENT OR LEGAL GUARDIAN.**

15 **~~(c)~~ (D) “CERTIFYING PHYSICIAN” MEANS AN INDIVIDUAL WHO:**

16 **(1) IS LICENSED BY THE STATE BOARD OF PHYSICIANS UNDER**
17 **TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE MEDICINE;**
18 **AND**

19 **~~(2) IS ON STAFF AT A HOSPITAL OR WITH A HOSPICE PROGRAM IN~~**
20 **~~THE STATE; AND~~**

21 **~~(3) REGISTERS WITH APPROVED BY THE COMMISSION TO MAKE~~**
22 **MARIJUANA AVAILABLE TO PATIENTS FOR MEDICAL USE IN ACCORDANCE WITH**
23 **REGULATIONS ADOPTED BY THE COMMISSION.**

24 **[(c)] ~~(D)~~ (E) “Commission” means the Natalie M. LaPrade Medical Marijuana**
25 **Commission established under this subtitle.**

26 **[(d)] ~~(E)~~ (F) “Fund” means the Natalie M. LaPrade Medical Marijuana**
27 **Commission Fund established under § 13–3303 of this subtitle.**

1 **(G) “MEDICAL MARIJUANA GROWER AGENT” MEANS AN OWNER, AN**
2 **EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL**
3 **MARIJUANA GROWER LICENSED UNDER THIS SUBTITLE.**

4 **(H) “MEDICAL MARIJUANA TREATMENT CENTER” MEANS AN ENTITY**
5 **LICENSED UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, PROCESSES,**
6 **TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES, DISPENSES, OR ADMINISTERS**
7 **MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES,**
8 **RELATED PRODUCTS INCLUDING FOOD, TINCTURES, AEROSOLS, OILS, OR**
9 **OINTMENTS, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT**
10 **OR A CAREGIVER.**

11 **(I) “MEDICAL MARIJUANA TREATMENT CENTER AGENT” MEANS AN**
12 **OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A**
13 **MEDICAL MARIJUANA TREATMENT CENTER.**

14 **[(e)] ~~(F)~~ (J) “Program” means an investigational use–type program overseen by**
15 **an academic medical center through which marijuana is made available to patients for**
16 **medical use.**

17 **~~(G)~~ (K) “QUALIFYING PATIENT” MEANS A RESIDENT OF THE STATE**
18 **WHO:**

19 **(1) ~~IS AT LEAST 18 YEARS OLD, UNLESS THE COMMISSION~~**
20 **~~GRANTS AN EXCEPTION AT THE RECOMMENDATION OF THE PATIENT’S~~**
21 **~~CERTIFYING PHYSICIAN; AND~~**

22 **~~(2)~~ (I) HAS BEEN PROVIDED WITH A WRITTEN CERTIFICATION**
23 **BY A CERTIFYING PHYSICIAN IN ACCORDANCE WITH A BONA FIDE**
24 **PHYSICIAN–PATIENT RELATIONSHIP; OR**

25 **(II) IS ENROLLED IN A RESEARCH PROGRAM WITH A**
26 **REGISTERED ACADEMIC MEDICAL CENTER; AND**

27 **(2) IF UNDER THE AGE OF 18 YEARS, HAS A CAREGIVER.**

28 **~~(H)~~ (L) “WRITTEN CERTIFICATION” MEANS A CERTIFICATION THAT:**

29 **(1) IS ISSUED BY A CERTIFYING PHYSICIAN TO A QUALIFYING**
30 **PATIENT WITH WHOM THE PHYSICIAN HAS A BONA FIDE PHYSICIAN–PATIENT**
31 **RELATIONSHIP; AND**

32 **(2) INCLUDES A WRITTEN STATEMENT CERTIFYING THAT, IN THE**
33 **PHYSICIAN’S PROFESSIONAL OPINION, AFTER HAVING COMPLETED A FULL**

1 ASSESSMENT OF THE PATIENT'S MEDICAL HISTORY AND CURRENT MEDICAL
2 CONDITION, THE PATIENT HAS A CONDITION:

3 (I) THAT MEETS THE INCLUSION CRITERIA AND DOES NOT
4 MEET THE EXCLUSION CRITERIA OF THE CERTIFYING PHYSICIAN'S
5 APPLICATION; AND

6 (II) FOR WHICH:

7 ~~1. RECOGNIZED DRUGS OR TREATMENT WOULD NOT~~
8 ~~BE EFFECTIVE OR OTHER TREATMENT OPTIONS HAVE MORE SERIOUS SIDE~~
9 ~~EFFECTS OR A GREATER RISK OF ADDICTION; AND~~

10 ~~2. THE~~ THE POTENTIAL BENEFITS OF THE MEDICAL
11 USE OF MARIJUANA WOULD LIKELY OUTWEIGH THE HEALTH RISKS FOR THE
12 PATIENT.

13 13-3302.

14 (a) There is a Natalie M. LaPrade Medical Marijuana Commission.

15 (b) The Commission is an independent commission that functions within the
16 Department.

17 (c) The purpose of the Commission is to:

18 (1) Develop requests for applications for academic medical centers to
19 operate programs in accordance with this subtitle;

20 (2) Approve or deny applications for programs;

21 (3) Approve or deny applications for renewal of programs; [and]

22 (4) Monitor and oversee programs approved for operation under this
23 subtitle; ~~AND~~

24 (5) ~~REGISTER AND REGULATE~~ APPROVE CERTIFYING
25 PHYSICIANS;

26 (6) PUBLISH AND DISSEMINATE ANY INFORMATION THAT
27 RELATES TO THE MEDICAL USE OF MARIJUANA AND RELATED RESEARCH; AND

28 (7) RESEARCH ISSUES RELATED TO THE MEDICAL USE OF
29 MARIJUANA.

1 **(D) (1) THE COMMISSION SHALL DEVELOP IDENTIFICATION CARDS**
2 **FOR QUALIFYING PATIENTS AND CAREGIVERS.**

3 **(2) (I) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT**
4 **ESTABLISH THE REQUIREMENTS FOR IDENTIFICATION CARDS PROVIDED BY THE**
5 **COMMISSION.**

6 **(II) THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH**
7 **(I) OF THIS PARAGRAPH SHALL INCLUDE:**

8 **1. THE INFORMATION TO BE INCLUDED ON AN**
9 **IDENTIFICATION CARD;**

10 **2. THE METHOD THROUGH WHICH THE COMMISSION**
11 **WILL DISTRIBUTE IDENTIFICATION CARDS; AND**

12 **3. THE METHOD THROUGH WHICH THE COMMISSION**
13 **WILL TRACK IDENTIFICATION CARDS.**

14 13-3303.

15 (a) The Commission consists of the following 12 members:

16 (1) The Secretary of Health and Mental Hygiene, or the Secretary's
17 designee; and

18 (2) The following 11 members, appointed by the Governor:

19 (i) One member of the public who supports the use of
20 marijuana for medical purposes and who is or was a patient who found relief from the
21 use of medical marijuana;

22 (ii) One member of the public designated by the Maryland
23 Chapter of the National Council on Alcoholism and Drug Dependence;

24 (iii) Three physicians licensed in the State who specialize in
25 addiction, pain, oncology, neurology, or clinical research;

26 (iv) One nurse licensed in the State who has experience in
27 hospice care, nominated by a State research institution or trade association;

28 (v) One pharmacist licensed in the State, nominated by a State
29 research institution or trade association;

30 (vi) One scientist who has experience in the science of
31 marijuana, nominated by a State research institution;

1 (vii) One representative of the Maryland State's Attorneys'
2 Association;

3 (viii) One representative of the Maryland Chiefs of Police; and

4 (ix) An attorney who is knowledgeable about medical marijuana
5 laws in the United States.

6 (b) (1) The term of a member is 4 years.

7 (2) The terms of the members are staggered as required by the terms
8 provided for members on October 1, 2013.

9 (3) At the end of a term, a member continues to serve until a successor
10 is appointed and qualifies.

11 (4) A member may not serve more than three consecutive full terms.

12 (5) A member who is appointed after a term has begun serves only for
13 the rest of the term and until a successor is appointed and qualifies.

14 (c) The Governor shall designate the chair from among the members of the
15 Commission.

16 (d) A majority of the full authorized membership of the Commission is a
17 quorum.

18 (e) A member of the Commission:

19 (1) May not receive compensation as a member of the Commission; but

20 (2) Is entitled to reimbursement for expenses under the Standard
21 State Travel Regulations, as provided in the State budget.

22 (f) The Commission may employ a staff, including contractual staff, in
23 accordance with the State budget.

24 **(G) THE COMMISSION MAY SET REASONABLE FEES TO COVER THE**
25 **COSTS OF OPERATING THE COMMISSION.**

26 **[(g)] (H)** (1) There is a Natalie M. LaPrade Medical Marijuana
27 Commission Fund.

28 (2) The Commission shall administer the Fund.

1 (3) The Fund is a special continuing, nonlapsing fund that is not
2 subject to § 7–302 of the State Finance and Procurement Article.

3 (4) The State Treasurer shall hold the Fund separately, and the
4 Comptroller shall account for the Fund.

5 (5) The Fund shall be invested and reinvested in the same manner as
6 other State funds, and any investment earnings shall be retained to the credit of the
7 Fund.

8 (6) The Fund shall be subject to an audit by the Office of Legislative
9 Audits as provided for in § 2–1220 of the State Government Article.

10 (7) The Comptroller shall pay out money from the Fund as directed by
11 the Commission.

12 (8) The Fund consists of:

13 (i) Any money appropriated in the State budget to the Fund;

14 (ii) Any other money from any other source accepted for the
15 benefit of the Fund, in accordance with any conditions adopted by the Commission for
16 the acceptance of donations or gifts to the Fund; **AND**

17 **(III) ANY FEES COLLECTED BY THE COMMISSION UNDER**
18 **THIS SUBTITLE.**

19 (9) No part of the Fund may revert or be credited to:

20 (i) The General Fund of the State; or

21 (ii) Any other special fund of the State.

22 (10) Expenditures from the Fund may be made only in accordance with
23 the State budget.

24 13–3304.

25 (a) The Commission shall issue at least annually a request for applications
26 for academic medical centers to operate medical marijuana compassionate use
27 programs.

28 (b) An application submitted by an academic medical center to operate a
29 program under this subtitle shall:

30 (1) Specify the medical conditions to be treated under the program to
31 be operated by the academic medical center, proposed on the basis of evidence;

1 (2) Specify the criteria by which the academic medical center will
2 include and exclude patients from participation in the program;

3 (3) Specify how patients will be assessed for addiction before and
4 during treatment using marijuana through the program;

5 (4) Describe the source of the marijuana to be used in a program and
6 include scientific details of the type of marijuana to be used in the program;

7 (5) Specify the length of treatment and dosage permitted under the
8 program;

9 (6) Describe how health care providers will be eligible to participate in
10 the program and what training they will receive;

11 (7) Include a description of whether and how caregivers will interact
12 with patients participating in the program;

13 (8) Demonstrate approval of the program by the academic medical
14 center's institutional review board;

15 (9) Describe the plan for defining and monitoring the success or failure
16 of treatment using marijuana through the program;

17 (10) Include a plan for monitoring aggregate data and outcomes and
18 publishing results from the program, as appropriate;

19 (11) Include a description of the sources of funding for the program,
20 including any research grants;

21 (12) Describe any required training for health care providers and
22 patients participating in the program on diversion-related issues;

23 (13) Describe steps the academic medical center will take to prevent
24 and monitor for diversion and address violations of its diversion policy;

25 (14) Describe how the program will dispose of any unused marijuana;
26 and

27 (15) Describe how the academic medical center and the program will
28 meet any other criteria established by the Commission related to diversion or other
29 aspects of programs overseen by the Commission.

30 (c) The Commission shall set application fees and renewal fees that cover its
31 expenses in reviewing and approving applications and providing oversight to
32 programs.

1 13-3305.

2 (a) The Commission shall establish an application review process that
3 includes reviewers with expertise in scientific research and analysis, medical training,
4 and law enforcement.

5 (b) The reviewers shall:

6 (1) Review, evaluate, and rate applications for medical marijuana
7 compassionate use programs submitted by academic medical centers based on the
8 procedures and guidelines established by the Commission; and

9 (2) Make recommendations to the Commission, based on the ratings
10 awarded to proposals by the reviewers, for approval of applications from medical
11 marijuana compassionate use programs.

12 (c) The Commission may grant a 1-year approval to a program, which may
13 be renewed by the Commission.

14 (d) The Commission may approve no more than five programs to operate at
15 one time.

16 13-3306.

17 (a) (1) An academic medical center approved to operate a program under
18 this subtitle shall provide to the Commission updated data each day on patients and
19 caregivers participating in each program overseen by the academic medical center.

20 (2) The Commission shall make the data available in real time to law
21 enforcement.

22 (b) An academic medical center operating a program approved under this
23 subtitle may use marijuana obtained only from:

24 (1) The federal government; or

25 (2) A medical marijuana grower licensed under this subtitle.

26 (c) If an academic medical center utilizes caregivers as part of a program
27 approved under this subtitle, the academic medical center shall:

28 (1) Limit the number of patients a caregiver is allowed to serve to no
29 more than five; and

30 (2) Limit the number of caregivers that serve a particular patient to
31 no more than two.

1 (d) An academic medical center operating a program approved under this
2 subtitle shall report annually to the Commission, in the form specified by the
3 Commission, on:

4 (1) The number of patients served through the program;

5 (2) The county of residence of the patients served by the program;

6 (3) The conditions treated under the program;

7 (4) Any outcomes data on the results of treatment through the
8 program; and

9 (5) Any research studies conducted under the program.

10 (e) An academic medical center operating a program approved under this
11 subtitle shall apply annually to the Commission for renewal of approval of the
12 program, in accordance with any procedures established by the Commission.

13 (f) An academic medical center operating a program approved under this
14 subtitle is subject to inspection by the Commission to ensure that the program is
15 operating according to the conditions of approval established by the Commission.

16 (g) The Commission may rescind approval of a program if the Commission
17 finds that the program is not in compliance with the conditions of approval established
18 by the Commission.

19 **13-3307.**

20 (A) **THE COMMISSION SHALL APPROVE AS A CERTIFYING PHYSICIAN AN**
21 **INDIVIDUAL WHO:**

22 (1) **MEETS THE REQUIREMENTS OF THIS SUBTITLE; AND**

23 (2) **SUBMITS APPLICATION MATERIALS THAT ARE SATISFACTORY**
24 **TO THE COMMISSION.**

25 (B) **TO BE ~~REGISTERED~~ APPROVED AS A CERTIFYING PHYSICIAN, A**
26 **PHYSICIAN SHALL SUBMIT A PROPOSAL TO THE COMMISSION THAT INCLUDES:**

27 (1) **THE REASONS FOR INCLUDING A PATIENT UNDER THE CARE**
28 **OF THE PHYSICIAN FOR THE PURPOSES OF THIS SUBTITLE, INCLUDING THE**
29 **PATIENT'S QUALIFYING MEDICAL CONDITIONS;**

1 (2) THE REASONS THE PHYSICIAN WILL USE TO EXCLUDE
2 PATIENTS FROM THE CARE OF THE PHYSICIAN FOR THE PURPOSES OF THIS
3 SUBTITLE;

4 (3) THE PHYSICIAN'S PLAN FOR SCREENING A PATIENT FOR
5 DEPENDENCE, BOTH BEFORE AND AFTER THE QUALIFYING PATIENT IS ISSUED A
6 WRITTEN CERTIFICATION; AND

7 (4) THE PHYSICIAN'S PLAN FOR THE ONGOING ASSESSMENT AND
8 FOLLOW-UP CARE OF A PATIENT AND FOR COLLECTING AND ANALYZING DATA.

9 (C) THE COMMISSION IS ENCOURAGED TO APPROVE PHYSICIAN
10 APPLICATIONS FOR THE FOLLOWING MEDICAL CONDITIONS:

11 (1) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL
12 CONDITION THAT RESULTS IN A PATIENT BEING ADMITTED INTO HOSPICE OR
13 RECEIVING PALLIATIVE CARE; OR

14 (2) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL
15 CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR
16 MEDICAL CONDITION THAT PRODUCES:

17 (I) CACHEXIA, ANOREXIA, OR WASTING SYNDROME;

18 (II) SEVERE ~~OR CHRONIC~~ PAIN;

19 (III) SEVERE NAUSEA;

20 (IV) SEIZURES; OR

21 (V) SEVERE OR PERSISTENT MUSCLE SPASMS.

22 (D) THE COMMISSION MAY APPROVE APPLICATIONS THAT INCLUDE
23 ANY OTHER CONDITION THAT IS SEVERE AND ~~RESISTANT TO CONVENTIONAL~~
24 ~~MEDICINE~~ FOR WHICH OTHER MEDICAL TREATMENTS HAVE BEEN INEFFECTIVE
25 IF THE SYMPTOMS REASONABLY CAN BE EXPECTED TO BE RELIEVED BY THE
26 MEDICAL USE OF MARIJUANA.

27 (E) A CERTIFYING PHYSICIAN OR A SPOUSE, PARENT, OR CHILD OF A
28 CERTIFYING PHYSICIAN MAY NOT BE EMPLOYED BY, RECEIVE ANY
29 COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A
30 MEDICAL MARIJUANA GROWER OR A MEDICAL MARIJUANA TREATMENT
31 CENTER.

1 **(F) (1) A QUALIFYING PATIENT MAY BE A PATIENT OF THE**
2 **CERTIFYING PHYSICIAN OR MAY BE REFERRED TO THE CERTIFYING PHYSICIAN.**

3 **(2) A CERTIFYING PHYSICIAN SHALL PROVIDE EACH WRITTEN**
4 **CERTIFICATION TO THE COMMISSION.**

5 **(3) ON RECEIPT OF A WRITTEN CERTIFICATION PROVIDED**
6 **UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION SHALL ISSUE**
7 **AN IDENTIFICATION CARD TO EACH QUALIFYING PATIENT OR CAREGIVER**
8 **NAMED IN THE WRITTEN CERTIFICATION.**

9 **(4) A CERTIFYING PHYSICIAN MAY DISCUSS MEDICAL MARIJUANA**
10 **WITH A QUALIFYING PATIENT.**

11 **(5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
12 **PARAGRAPH, A QUALIFYING PATIENT OR CAREGIVER MAY OBTAIN MEDICAL**
13 **MARIJUANA ONLY FROM A MEDICAL MARIJUANA TREATMENT CENTER**
14 **LICENSED BY THE COMMISSION.**

15 **(II) A QUALIFYING PATIENT UNDER THE AGE OF 18 YEARS**
16 **MAY OBTAIN MEDICAL MARIJUANA ONLY THROUGH THE QUALIFYING PATIENT'S**
17 **CAREGIVER.**

18 ~~(E)~~ **(G) (1) EACH CERTIFYING PHYSICIAN SHALL SUBMIT AN**
19 **ANNUAL REPORT TO THE COMMISSION.**

20 **(2) THE ANNUAL REPORT SHALL INCLUDE:**

21 **(I) THE NUMBER OF PATIENTS SERVED;**

22 **(II) THE COUNTY OF RESIDENCE OF EACH PATIENT SERVED;**

23 **(III) ANY MEDICAL CONDITION FOR WHICH MEDICAL**
24 **MARIJUANA WAS RECOMMENDED; AND**

25 **(IV) A SUMMARY OF CLINICAL OUTCOMES, INCLUDING**
26 **ADVERSE EVENTS AND ANY CASES OF SUSPECTED DIVERSION.**

27 **(3) THE ANNUAL REPORT MAY NOT INCLUDE ANY PERSONAL**
28 **INFORMATION THAT IDENTIFIES A PATIENT.**

29 ~~(F)~~ **(H) (1) A CERTIFYING PHYSICIAN MAY APPLY BIENNIALY FOR**
30 **A RENEWAL OF A REGISTRATION.**

1 (2) THE COMMISSION SHALL GRANT OR DENY A RENEWAL OF A
2 REGISTRATION BASED ON THE PHYSICIAN'S PERFORMANCE IN COMPLYING
3 WITH REGULATIONS ADOPTED BY THE COMMISSION.

4 ~~(G) A CERTIFYING PHYSICIAN SHALL BE PROTECTED FROM CIVIL AND~~
5 ~~CRIMINAL PENALTIES UNDER STATE AND LOCAL LAW FOR ACTIONS~~
6 ~~AUTHORIZED UNDER THIS SUBTITLE, INCLUDING THE ISSUANCE OF WRITTEN~~
7 ~~CERTIFICATIONS AND THE COLLECTION AND ANALYSIS OF DATA.~~

8 [13-3307.] **13-3308.**

9 On or before January 1 each year, the Commission shall report to the Governor
10 and, in accordance with § 2-1246 of the State Government Article, the General
11 Assembly on [programs]:

12 (1) PROGRAMS approved to operate under this subtitle; AND

13 (2) PHYSICIANS CERTIFIED UNDER THIS SUBTITLE.

14 [13-3308.] **13-3309.**

15 (a) (1) The Commission shall license medical marijuana growers THAT
16 MEET ALL REQUIREMENTS ESTABLISHED BY THE COMMISSION to operate in the
17 State to provide marijuana to ~~programs~~:

18 (I) PROGRAMS approved for operation under this subtitle; AND

19 (II) MEDICAL MARIJUANA TREATMENT CENTERS LICENSED
20 BY THE COMMISSION UNDER THIS SUBTITLE.

21 (2) The Commission ~~may license no more than five medical marijuana~~
22 ~~growers [for each approved program]~~ SHALL ISSUE THE NUMBER OF LICENSES
23 NECESSARY TO MEET THE DEMAND FOR MEDICAL MARIJUANA BY QUALIFYING
24 PATIENTS AND CAREGIVERS ISSUED IDENTIFICATION CARDS UNDER THIS
25 SUBTITLE IN AN AFFORDABLE, ACCESSIBLE, SECURE, AND EFFICIENT MANNER.

26 (3) THE COMMISSION SHALL SET STANDARDS FOR LICENSURE AS
27 A MEDICAL MARIJUANA GROWER TO ENSURE PUBLIC SAFETY AND SAFE ACCESS
28 TO MEDICAL MARIJUANA, WHICH MAY INCLUDE A REQUIREMENT FOR THE
29 POSTING OF SECURITY.

30 (4) EACH MEDICAL MARIJUANA GROWER AGENT SHALL OBTAIN A
31 STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE
32 WITH § 13-3312 OF THIS SUBTITLE.

1 **(5) (I) A MEDICAL MARIJUANA GROWER LICENSE IS VALID FOR**
2 **2 YEARS ON INITIAL LICENSURE.**

3 **(II) A MEDICAL MARIJUANA GROWER LICENSE IS VALID FOR**
4 **2 YEARS ON RENEWAL.**

5 **(6) AN APPLICATION TO OPERATE AS A MEDICAL MARIJUANA**
6 **GROWER MAY BE SUBMITTED IN PAPER OR ELECTRONIC FORM.**

7 ~~(3)~~ **(7) (I) THE COMMISSION SHALL ENCOURAGE LICENSING**
8 **MEDICAL MARIJUANA GROWERS THAT GROW STRAINS OF MARIJUANA,**
9 **INCLUDING STRAINS WITH HIGH CANNABIDIOL CONTENT, WITH DEMONSTRATED**
10 **SUCCESS IN ALLEVIATING SYMPTOMS OF SPECIFIC DISEASES OR CONDITIONS.**

11 **(II) THE COMMISSION SHALL ENCOURAGE LICENSING**
12 **MEDICAL MARIJUANA GROWERS THAT PREPARE MEDICAL MARIJUANA IN A**
13 **RANGE OF ROUTES OF ADMINISTRATION.**

14 **(8) (I) THE COMMISSION SHALL:**

15 **1. ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC,**
16 **AND GEOGRAPHIC DIVERSITY WHEN LICENSING MEDICAL MARIJUANA**
17 **GROWERS; AND**

18 **2. ENCOURAGE APPLICANTS WHO QUALIFY AS A**
19 **MINORITY BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE**
20 **FINANCE AND PROCUREMENT ARTICLE.**

21 **(II) BEGINNING JUNE 1, 2016, A GROWER LICENSED UNDER**
22 **THIS SUBTITLE TO OPERATE AS A MEDICAL MARIJUANA GROWER SHALL**
23 **REPORT ANNUALLY TO THE COMMISSION ON THE MINORITY OWNERS AND**
24 **EMPLOYEES OF THE GROWER.**

25 **(9) AN ENTITY SEEKING LICENSURE AS A MEDICAL MARIJUANA**
26 **GROWER SHALL MEET LOCAL ZONING AND PLANNING REQUIREMENTS.**

27 **(10) A MEDICAL MARIJUANA GROWER AGENT OR A SPOUSE,**
28 **PARENT, OR CHILD OF A MEDICAL MARIJUANA GROWER AGENT MAY NOT BE**
29 **EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY**
30 **FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL MARIJUANA**
31 **TREATMENT CENTER.**

32 ~~(b) An entity licensed to grow marijuana under this section may provide~~
33 ~~marijuana [only to]:~~

1 ~~(1) TO PATIENTS PARTICIPATING IN A PROGRAM OPERATED BY~~
 2 ~~an academic medical center [approved to operate a program] under this subtitle; OR~~

3 ~~(2) TO A QUALIFYING PATIENT OF A CERTIFYING PHYSICIAN OR~~
 4 ~~THE QUALIFYING PATIENT'S DESIGNATED CERTIFIED CAREGIVER.~~

5 (B) AN ENTITY LICENSED TO GROW MEDICAL MARIJUANA UNDER THIS
 6 SECTION MAY PROVIDE MARIJUANA ONLY TO:

7 (1) PROGRAMS APPROVED FOR OPERATION UNDER THIS
 8 SUBTITLE; AND

9 (2) MEDICAL MARIJUANA TREATMENT CENTERS LICENSED BY
 10 THE COMMISSION UNDER THIS SUBTITLE.

11 (C) AN ENTITY LICENSED TO GROW MEDICAL MARIJUANA UNDER THIS
 12 SECTION SHALL ENSURE THAT SAFETY PRECAUTIONS ESTABLISHED BY THE
 13 COMMISSION ARE FOLLOWED BY ANY FACILITY OPERATED BY THE GROWER.

14 ~~(D)~~ (D) The Commission shall establish requirements for security and the
 15 manufacturing process that a grower must meet in order to obtain a license under this
 16 section, including a requirement for a product-tracking system.

17 ~~(E)~~ (E) The Commission may inspect growers licensed under this section to
 18 ensure compliance with this section.

19 ~~(F)~~ (F) The Commission may impose penalties or rescind the license of a
 20 grower that does not meet the standards for licensure set by the Commission.

21 13-3310.

22 (A) A MEDICAL MARIJUANA TREATMENT CENTER SHALL BE LICENSED
 23 BY THE COMMISSION.

24 (B) TO BE LICENSED AS A MEDICAL MARIJUANA TREATMENT CENTER,
 25 AN APPLICANT SHALL SUBMIT TO THE COMMISSION:

26 (1) AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY
 27 THE DEPARTMENT CONSISTENT WITH THIS SUBTITLE; AND

28 (2) AN APPLICATION THAT INCLUDES:

29 (i) THE LEGAL NAME AND PHYSICAL ADDRESS OF THE
 30 PROPOSED MEDICAL MARIJUANA TREATMENT CENTER;

1 (II) THE NAME, ADDRESS, AND DATE OF BIRTH OF EACH
2 PRINCIPAL OFFICER AND EACH DIRECTOR, NONE OF WHOM MAY HAVE SERVED
3 AS A PRINCIPAL OFFICER OR DIRECTOR FOR A MEDICAL MARIJUANA
4 TREATMENT CENTER THAT HAS HAD ITS REGISTRATION CERTIFICATE
5 REVOKED; AND

6 (III) OPERATING PROCEDURES THAT THE MEDICAL
7 MARIJUANA TREATMENT CENTER WILL USE, CONSISTENT WITH COMMISSION
8 REGULATIONS FOR OVERSIGHT, INCLUDING STORAGE OF MARIJUANA ONLY IN
9 ENCLOSED AND LOCKED FACILITIES.

10 (C) A MEDICAL MARIJUANA TREATMENT CENTER AGENT OR A SPOUSE,
11 PARENT, OR CHILD OF A MEDICAL MARIJUANA TREATMENT CENTER AGENT MAY
12 NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE
13 ANY FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL
14 MARIJUANA GROWER.

15 (D) (1) IN THE FIRST YEAR AFTER DECEMBER 15, 2014, THE
16 COMMISSION MAY ISSUE LICENSES FOR NO MORE THAN TWO MEDICAL
17 MARIJUANA TREATMENT CENTERS PER LEGISLATIVE DISTRICT, EXCEPT THAT
18 THE COMMISSION MAY ISSUE ADDITIONAL LICENSES TO ENSURE THAT THERE IS
19 AT LEAST ONE MEDICAL MARIJUANA TREATMENT CENTER IN EACH COUNTY.

20 (2) IF THE COMMISSION DETERMINES ON OR AFTER DECEMBER
21 15, 2016, THAT THE NUMBER OF MEDICAL MARIJUANA TREATMENT CENTERS IS
22 INSUFFICIENT TO MEET THE NEEDS OF QUALIFYING PATIENTS, THE
23 COMMISSION MAY INCREASE THE NUMBER OF LICENSED MEDICAL MARIJUANA
24 TREATMENT CENTERS.

25 (E) A MEDICAL MARIJUANA TREATMENT CENTER LICENSED UNDER
26 THIS SECTION OR A MEDICAL MARIJUANA TREATMENT CENTER AGENT
27 REGISTERED UNDER § 13-3311 OF THIS SUBTITLE MAY NOT BE PENALIZED OR
28 ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, PROCESSING,
29 TRANSFERRING, TRANSPORTING, SELLING, DISTRIBUTING, OR DISPENSING
30 MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, OR
31 EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A
32 CAREGIVER.

33 13-3311.

34 (A) A MEDICAL MARIJUANA TREATMENT CENTER AGENT SHALL:

35 (1) BE AT LEAST 21 YEARS OLD;

1 **(2) BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT**
2 **MAY VOLUNTEER OR WORK AT A MEDICAL MARIJUANA TREATMENT CENTER;**
3 **AND**

4 **(3) OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY**
5 **RECORDS CHECK IN ACCORDANCE WITH § 13-3312 OF THIS SUBTITLE.**

6 **(B) A MEDICAL MARIJUANA TREATMENT CENTER SHALL APPLY TO THE**
7 **COMMISSION FOR A REGISTRATION CARD FOR EACH MEDICAL MARIJUANA**
8 **TREATMENT CENTER AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE**
9 **OF BIRTH OF THE AGENT.**

10 **(C) (1) WITHIN 1 BUSINESS DAY AFTER A MEDICAL MARIJUANA**
11 **TREATMENT CENTER AGENT CEASES TO BE ASSOCIATED WITH A MEDICAL**
12 **MARIJUANA TREATMENT CENTER, THE MEDICAL MARIJUANA TREATMENT**
13 **CENTER SHALL:**

14 **(I) NOTIFY THE COMMISSION; AND**

15 **(II) RETURN THE MEDICAL MARIJUANA TREATMENT**
16 **CENTER AGENT'S REGISTRATION CARD TO THE COMMISSION.**

17 **(2) ON RECEIPT OF A NOTICE DESCRIBED IN PARAGRAPH (1) OF**
18 **THIS SUBSECTION, THE COMMISSION SHALL:**

19 **(I) IMMEDIATELY REVOKE THE REGISTRATION CARD OF**
20 **THE MEDICAL MARIJUANA TREATMENT CENTER AGENT; AND**

21 **(II) IF THE REGISTRATION CARD WAS NOT RETURNED TO**
22 **THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.**

23 **(D) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN**
24 **CONVICTED OF A FELONY DRUG OFFENSE AS A MEDICAL MARIJUANA**
25 **TREATMENT CENTER AGENT.**

26 **13-3312.**

27 **(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL**
28 **JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT**
29 **OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

1 **(B) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A**
2 **STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT**
3 **SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

4 **(1) TWO COMPLETE SETS OF LEGIBLE FINGERPRINTS TAKEN ON**
5 **FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
6 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

7 **(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
8 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY**
9 **RECORDS; AND**

10 **(3) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU**
11 **OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.**

12 **(C) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-228 OF THE**
13 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD**
14 **TO THE COMMISSION AND TO THE APPLICANT THE CRIMINAL HISTORY RECORD**
15 **INFORMATION OF THE APPLICANT.**

16 **(D) IF AN APPLICANT HAS MADE TWO OR MORE UNSUCCESSFUL**
17 **ATTEMPTS AT SECURING LEGIBLE FINGERPRINTS, THE COMMISSION MAY**
18 **ACCEPT AN ALTERNATE METHOD OF A CRIMINAL HISTORY RECORDS CHECK AS**
19 **PERMITTED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
20 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.**

21 **(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER**
22 **THIS SECTION SHALL BE:**

23 **(1) CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND**

24 **(2) USED ONLY FOR THE REGISTRATION PURPOSE AUTHORIZED**
25 **BY THIS SUBTITLE.**

26 **(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER**
27 **THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT**
28 **ISSUED BY THE CENTRAL REPOSITORY, AS PROVIDED IN § 10-223 OF THE**
29 **CRIMINAL PROCEDURE ARTICLE.**

30 [13-3309.] ~~13-3310.~~ 13-3313.

31 (a) Any of the following persons acting in accordance with the provisions of
32 this subtitle may not be subject to arrest, prosecution, or any civil or administrative

1 penalty, including a civil penalty or disciplinary action by a professional licensing
2 board, or be denied any right or privilege, for the medical use of marijuana:

3 (1) A **QUALIFYING** patient [enrolled]:

4 (I) **ENROLLED** in a program approved under this subtitle who
5 is in possession of an amount of marijuana authorized under the program; **OR**

6 (II) **IN POSSESSION OF AN AMOUNT OF MARIJUANA**
7 ~~**AUTHORIZED BY A CERTIFYING PHYSICIAN IN ACCORDANCE WITH THIS**~~
8 ~~**SUBTITLE DETERMINED BY THE COMMISSION TO CONSTITUTE A 30-DAY**~~
9 ~~**SUPPLY;**~~

10 (2) A grower licensed under [§ 13-3308] **§ 13-3309** of this subtitle or
11 an employee of the licensed grower who is acting in accordance with the terms of the
12 license; [or]

13 (3) An academic medical center, an employee of the academic medical
14 center, or any other person associated with the operation of a program approved under
15 this subtitle for activities conducted in accordance with the program approved under
16 this subtitle; ~~**OR**~~

17 (4) **A CERTIFYING PHYSICIAN;**

18 (5) **A CAREGIVER;**

19 (6) **A MEDICAL MARIJUANA TREATMENT CENTER LICENSED**
20 **UNDER § 13-3310 OF THIS SUBTITLE OR A MEDICAL MARIJUANA TREATMENT**
21 **CENTER AGENT REGISTERED UNDER § 13-3311 OF THIS SUBTITLE; OR**

22 (7) **A HOSPITAL OR HOSPICE PROGRAM WHERE A QUALIFYING**
23 **PATIENT IS RECEIVING TREATMENT.**

24 (b) (1) A person may not distribute, possess, manufacture, or use
25 marijuana that has been diverted from a program approved under this subtitle or from
26 a **QUALIFYING** patient [who is enrolled in a program approved under this subtitle].

27 (2) A person who violates this subsection is guilty of a felony and on
28 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding
29 \$10,000 or both.

30 (3) The penalty under this subsection is in addition to any penalties
31 that a person may be subject to for manufacture, possession, or distribution of
32 marijuana under the Criminal Law Article.

1 [13-3310.] ~~13-3311.~~ 13-3314.

2 (a) This subtitle may not be construed to authorize any individual to engage
3 in, and does not prevent the imposition of any civil, criminal, or other penalties for, the
4 following:

5 (1) Undertaking any task under the influence of marijuana, when
6 doing so would constitute negligence or professional malpractice;

7 (2) Operating, navigating, or being in actual physical control of any
8 motor vehicle, aircraft, or boat while under the influence of marijuana;

9 (3) Smoking marijuana in any public place;

10 (4) Smoking marijuana in a motor vehicle; or

11 (5) Smoking marijuana on a private property that:

12 (i) 1. Is rented from a landlord; and

13 2. Is subject to a policy that prohibits the smoking of
14 marijuana on the property; or

15 (ii) Is subject to a policy that prohibits the smoking of
16 marijuana on the property of an attached dwelling adopted by one of the following
17 entities:

18 1. The board of directors of the council of unit owners of
19 a condominium regime; or

20 2. The governing body of a homeowners association.

21 (b) This subtitle may not be construed to provide immunity to a person who
22 violates the provisions of this subtitle from criminal prosecution for a violation of any
23 law prohibiting or regulating the use, possession, dispensing, distribution, or
24 promotion of controlled dangerous substances, dangerous drugs, detrimental drugs, or
25 harmful drugs, or any conspiracy or attempt to commit any of those offenses.

26 **(C) THIS SUBTITLE MAY NOT BE CONSTRUED TO REQUIRE A HOSPITAL**
27 **OR HOSPICE PROGRAM TO REPORT TO THE COMMISSION ANY DISCIPLINARY**
28 **ACTION TAKEN BY THE HOSPITAL OR HOSPICE PROGRAM AGAINST A**
29 **CERTIFYING PHYSICIAN, INCLUDING THE REVOCATION OF PRIVILEGES, AFTER**
30 **THE REGISTRATION OF THE CERTIFYING PHYSICIAN WITH THE COMMISSION.**

31 [13-3311.] ~~13-3312.~~ 13-3315.

1 (a) Notwithstanding § 12-315 of the State Government Article, a State
 2 employee who incurs counsel fees in connection with a federal criminal investigation
 3 or prosecution solely related to the employee's good faith discharge of public
 4 responsibilities under this subtitle is eligible for reimbursement of counsel fees as
 5 authorized by § 12-314 of the State Government Article.

6 (b) The Governor may suspend implementation of this subtitle on making a
 7 determination that there is a reasonable chance of federal prosecution of State
 8 employees for involvement with implementation of this subtitle.

9 ~~13-3313.~~ 13-3316.

10 ~~THE~~ ON OR BEFORE SEPTEMBER 15, 2014, THE COMMISSION SHALL
 11 ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1
 13 of each year, the Natalie M. LaPrade Medical Marijuana Commission and the
 14 Department of Health and Mental Hygiene shall report to the Senate Judicial
 15 Proceedings Committee, the Senate Education, Health, and Environmental Affairs
 16 Committee, the House Judiciary Committee, and the House Health and Government
 17 Operations Committee, in accordance with § 2-1246 of the State Government Article,
 18 on incidents of marijuana use by minors in Maryland, including an examination of
 19 whether any increase in marijuana use by minors may be attributed to this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That the Natalie M. LaPrade
 21 Medical Marijuana Commission shall study and report its recommendations, in
 22 accordance with § 2-1246 of the State Government Article, to the General Assembly
 23 on how to provide access to medical marijuana for veterans who are receiving
 24 treatment at a medical facility operating under the auspices of the United States
 25 Veterans Health Administration, the United States Department of Veterans Affairs,
 26 the Maryland Department of Veterans Affairs, or any other facility in the State
 27 certified by the United States Department of Veterans Affairs Medical Center.

28 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
 29 effect ~~July~~ June 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.