



March 7, 2023

The Honorable Joseline Peña-Melnyk
Chair, Health and Government Operations Committee
Room 241
House Office Building
Annapolis, Maryland 21401

**RE: House Bill 1172 – Medical Cannabis – Visiting Qualifying Patients –
Letter of Information**

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Medical Cannabis Commission (the Commission) is submitting this letter of information for House Bill 1172 – Medical Cannabis – Visiting Qualifying Patients.

Currently, in order to qualify as a medical cannabis patient a person must live in Maryland or be in the State receiving in-patient treatment. A qualifying patient that has received a written certification from a certifying provider in the State may obtain up to a 30-day supply of medical cannabis products, which is defined as:

- (a) 120 grams of usable cannabis unless the provider determines this amount would be inadequate to meet the medical needs of the qualifying patient; or
- (b) In the case of a medical cannabis-infused product, 36 grams of delta-9-Tetrahydrocannabinol unless the provider determines this amount would be inadequate to meet the medical needs of the qualifying patient.

The Commission can monitor the 30-day supply received by a patient based on their patient identification card, registration with the Commission, and the State's seed-to-sale tracking system.

As introduced, the Commission is prohibited from requiring a visiting out of state patient to register with the Commission. This would make it impossible for the Commission to monitor or limit a visiting out of state patient to the established 30-day supply for Marylanders. Further, given the medical program's tax-free status, out-of-state patients would likewise receive an advantage compared to Maryland adult-use consumers.

Lastly, the Commission would highlight that as introduced, HB1172 references to the Medical Cannabis Program in Title 13, Subtitle 33 of the Health - General Article. HB 556, which is emergency

legislation, contemplates large-scale cannabis reform, including repealing Title 13, Subtitle 33 and recodifying many of its provisions in a new Alcoholic Beverages and Cannabis Article. The Commission believes that if both bills ultimately pass the General Assembly, a corrective bill would be necessary to move this provision into the new Alcoholic Beverages and Cannabis Article.

I hope you and the committee find this information useful. If you would like to discuss this further please contact Andrew Garrison, MPA, Deputy Director, Office of Policy and Government Affairs at andrew.garrison@maryland.gov or (443) 844-6114.

Sincerely,

A handwritten signature in blue ink that reads "Will Tilburg". The signature is written in a cursive style and is followed by a long, horizontal, sweeping underline.

Will Tilburg, JD, MPH
Executive Director
Maryland Medical Cannabis Commission

This position does not necessarily reflect the position of the Maryland Department of Health or the Office of the Governor.