



March 13, 2024

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

RE: House Bill 790 – Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients – Letter of Information

Dear Chair Peña-Melnyk -

The Maryland Cannabis Administration (MCA) is submitting this letter of Information for House Bill 790– Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients (HB0790).

HB0790 creates a pathway for designated personnel at certain medical facilities to administer medical cannabis to patients receiving inpatient treatment. Delivery of medical cannabis to these facilities is already authorized through the MCA’s medical cannabis regulations, under COMAR 10.62.30.04 (E) and (F), below:

- E. Only a qualified patient or caregiver, or a medical facility where the qualifying patient is receiving in-patient treatment, may accept delivery of medical cannabis.
- F. A licensee or registrant may only deliver medical cannabis to a private home or residence, or a medical facility where the qualifying patient is receiving in-patient treatment.

The MCA believes that the provisions under HB0790 are consistent with these existing regulations, and may expand patient access without creating an additional administrative burden on the MCA, patients, or caregivers. The State currently has over 137,000 medical patients registered and over 8,000 registered caregivers. HB0790 requires the registered caregiver of the patient to provide the designated medical personnel with the cannabis or cannabis product for administration, in a manner that is prescribed by the patient’s certifying provider.

Under the current medical cannabis program, a registered caregiver may only serve as a caregiver for up to five patients, and a patient may not have more than two caregivers¹. HB0790 makes explicit that the designated medical personnel established under this bill do not fall under the existing patient, caregiver, or certifying provider relationship.

I hope this information is useful. If you would like to discuss this further, please contact me at (410) 487-8069 or william.tilburg@maryland.gov or Andrew Garrison, Chief of the Office of Policy and Government Affairs at (443) 844-6114 or andrew.garrison@maryland.gov.

Sincerely,

A handwritten signature in blue ink that reads "William Tilburg". The signature is written in a cursive style and is followed by a long horizontal flourish.

William Tilburg, JD, MPH
Acting Director, Maryland Cannabis Administration

cc: Members of the House Health and Government Operations Committee

¹ Medical cannabis patients under 18 may have up to four caregivers, including their parents and/or guardians.