J1, J2 8lr1135 CF SB 1063

By: Delegate Glenn

Introduced and read first time: February 7, 2018 Assigned to: Health and Government Operations

A BILL ENTITLED

1	AN ACT concerning	
2 3	Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers – Referrals	
4 5 6 7 8 9	FOR the purpose of requiring, rather than authorizing, a qualifying patient to be a patien of a certain certifying provider or to be referred to the certifying provider, subject to certain conditions; requiring a certain referral to be made by a certain health car provider; prohibiting certain referrals from certain persons or entities; and generally relating to the referral of patients to certifying providers registered with the Natali M. LaPrade Medical Cannabis Commission.	
10 11 12 13 14	BY repealing and reenacting, with amendments, Article – Health – General Section 13–3304 Annotated Code of Maryland (2015 Replacement Volume and 2017 Supplement)	
15 16	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:	
17		Article - Health - General
18	13–3304.	
19	(a)	The Commission shall register as a certifying provider an individual who:
20		(1) Meets the requirements of this subtitle; and
21 22	subtitle.	(2) Submits application materials that meet the requirements of this
23	(b)	To be registered as a certifying provider, a provider shall submit a proposal to



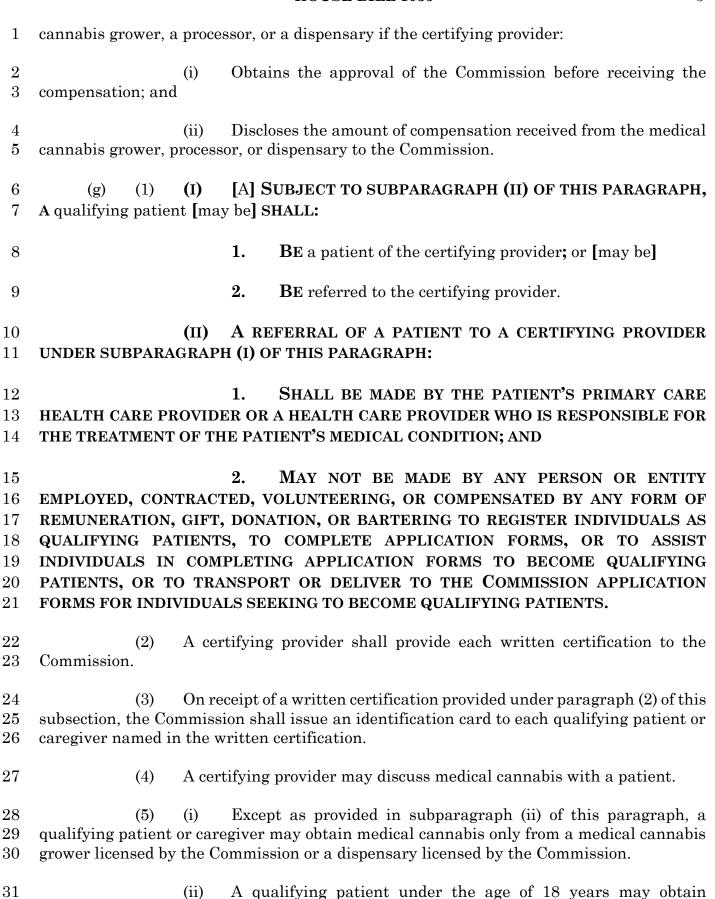
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1 the Commission that includes:

medical information: and

- 2 (1) The reasons for including a patient under the care of the provider for the purposes of this subtitle, including the patient's qualifying medical conditions;

 4 (2) An attestation that a standard patient evaluation will be completed, including a history, a physical examination, a review of symptoms, and other pertinent
- 7 (3) The provider's plan for the ongoing assessment and follow-up care of a 8 patient and for collecting and analyzing data.
- 9 (c) The Commission may not require an individual to meet requirements in addition to the requirements listed in subsections (a) and (b) of this section to be registered as a certifying provider.
- 12 (d) (1) The Commission is encouraged to approve provider applications for the 13 following medical conditions:
- 14 (i) A chronic or debilitating disease or medical condition that results 15 in a patient being admitted into hospice or receiving palliative care; or
- 16 (ii) A chronic or debilitating disease or medical condition or the 17 treatment of a chronic or debilitating disease or medical condition that produces:
- 18 1. Cachexia, anorexia, or wasting syndrome;
- 19 2. Severe or chronic pain;
- 20 3. Severe nausea;
- 21 4. Seizures; or
- 5. Severe or persistent muscle spasms.
- 23 (2) The Commission may not limit treatment of a particular medical 24 condition to one class of providers.
- 25 (e) The Commission may approve applications that include any other condition 26 that is severe and for which other medical treatments have been ineffective if the symptoms 27 reasonably can be expected to be relieved by the medical use of cannabis.
- 28 (f) (1) A certifying provider or the spouse of a certifying provider may not receive any gifts from or have an ownership interest in a medical cannabis grower, a processor, or a dispensary.
- 31 (2) A certifying provider may receive compensation from a medical



medical cannabis only through the qualifying patient's caregiver.

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(6) (i) A caregiver may serve no more than five qualifying patients at 1 2 any time. 3 A qualifying patient may have no more than two caregivers. (ii) (h) A certifying provider may register biennially. 4 (1) 5 (2)The Commission shall grant or deny a renewal of a registration for approval based on the provider's performance in complying with regulations adopted by the 6 Commission. 7 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 9 October 1, 2018.