

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1668 (Delegate Jalisi)
Health and Government Operations

Medical Cannabis - Certifying Providers - Written Certifications

This bill establishes that a written certification, issued by a certifying provider to a qualifying patient, under Maryland's medical cannabis program, must include a written recommendation on the amount of medical cannabis that would be necessary to meet the medical needs of the qualifying patient. The recommendation must be based on the provider's professional opinion.

Fiscal Summary

State Effect: The bill does not have a material fiscal or operational impact on the commission.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: The Natalie M. LaPrade Medical Cannabis Commission is responsible for implementation of the State's medical cannabis program, which is intended to make medical cannabis available to qualifying patients in a safe and effective manner. The program allows for the licensure of growers, processors, and dispensaries and the registration of their agents, as well as registration of independent testing laboratories and their agents. There is a framework to certify health care providers (including physicians, dentists, podiatrists, nurse practitioners, and nurse midwives), qualifying patients, and their caregivers to provide qualifying patients with medical cannabis legally under State law via written certification.

A written certification is issued by a certifying provider with whom the provider has a bona fide provider-patient relationship. The written certification must include a written statement certifying that, in the provider's professional opinion, after having completed an assessment of the patient's medical history and current medical condition, the patient has a condition (1) that meets the inclusion criteria and does not meet the exclusion criteria of the certifying provider's application and (2) for which the potential benefits of the medical use of cannabis would likely outweigh the health risks for the patient.

A written certification *may* include a written statement that, in the provider's professional opinion, a 30-day supply of medical cannabis would be inadequate to meet the medical needs of the qualifying patient. A "30-day supply" is defined in regulation as 120 grams of usable cannabis, or in the case of a medical cannabis-infused product, 36 grams of tetrahydrocannabinol, unless a physician determines these amounts are inadequate.

Additional Information

Prior Introductions: HB 1655 was referred to the House Rules and Executive Nominations Committee, but no further action was taken on the bill.

Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - March 4, 2018
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