

SENATE BILL 605

F1, J1

0lr3019
CF HB 331

By: **Senator Feldman**

Introduced and read first time: January 31, 2020

Assigned to: Education, Health, and Environmental Affairs and Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Medical Cannabis – Guidelines for Administration to Students**

3 FOR the purpose of requiring, on or before a certain date, the State Department of
4 Education and the Natalie M. LaPrade Medical Cannabis Commission jointly to
5 develop guidelines for public schools regarding the administration of medical
6 cannabis to certain students during school hours and school–sponsored after–school
7 activities; providing for the contents of the guidelines; requiring, on or before a
8 certain date, the Department and the Commission jointly to provide certain technical
9 assistance to schools for certain purposes and to develop a process to monitor
10 implementation of certain guidelines; and generally relating to medical cannabis and
11 public schools.

12 BY adding to

13 Article – Education

14 Section 7–446

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2019 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Education**

20 **7–446.**

21 **(A) ON OR BEFORE DECEMBER 1, 2020, THE DEPARTMENT AND THE**
22 **NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION JOINTLY SHALL DEVELOP**
23 **GUIDELINES FOR PUBLIC SCHOOLS REGARDING THE ADMINISTRATION OF MEDICAL**
24 **CANNABIS TO STUDENTS WHO ARE QUALIFYING PATIENTS UNDER TITLE 13,**
25 **SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE DURING SCHOOL HOURS AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SCHOOL-SPONSORED AFTER-SCHOOL ACTIVITIES.

2 (B) THE GUIDELINES SHALL INCLUDE:

3 (1) PROCEDURES FOR EDUCATING SCHOOL NURSES ON ISSUES
4 RELATING TO MEDICAL CANNABIS, INCLUDING:

5 (I) THE STATE'S MEDICAL CANNABIS PROGRAM;

6 (II) FEDERAL AND STATE LAWS AND REGULATIONS;

7 (III) PROFESSIONAL LICENSURE AND CIVIL AND CRIMINAL
8 LIABILITY ISSUES;

9 (IV) CANNABIS PHARMACOLOGY AND RESEARCH ASSOCIATED
10 WITH THE MEDICAL USE OF CANNABIS; AND

11 (V) SAFETY CONSIDERATIONS FOR PATIENT USE OF CANNABIS
12 AS IT RELATES TO A SCHOOL SETTING;

13 (2) PROTOCOLS TO ENSURE STUDENTS WHO ARE QUALIFYING
14 PATIENTS RECEIVE CARE DURING SCHOOL HOURS AND SCHOOL-SPONSORED
15 AFTER-SCHOOL ACTIVITIES, AS DETERMINED BY:

16 (I) THE STUDENT'S CERTIFYING PROVIDER;

17 (II) THE STUDENT'S PARENT OR GUARDIAN OR CAREGIVER; AND

18 (III) THE SCHOOL NURSE'S ASSESSMENT;

19 (3) SECURITY PROTOCOLS FOR THE POSSESSION, STORAGE, AND
20 LOSS OR THEFT OF MEDICAL CANNABIS ON SCHOOL PROPERTY;

21 (4) APPROPRIATE METHODS FOR ADMINISTERING MEDICAL
22 CANNABIS BY A SCHOOL NURSE DURING SCHOOL HOURS AND SCHOOL-SPONSORED
23 AFTER-SCHOOL ACTIVITIES;

24 (5) NOTICE REQUIREMENTS TO APPROPRIATE SCHOOL PERSONNEL,
25 PARENTS AND GUARDIANS OR CAREGIVERS, AND LOCAL LAW ENFORCEMENT, IF
26 NECESSARY; AND

27 (6) ANY OTHER ISSUES CONCERNING THE ADMINISTRATION OF
28 MEDICAL CANNABIS TO STUDENTS WHO ARE QUALIFYING PATIENTS DURING

1 SCHOOL HOURS AND SCHOOL-SPONSORED AFTER-SCHOOL ACTIVITIES.

2 (c) ON OR BEFORE DECEMBER 1, 2020, THE DEPARTMENT AND THE
3 NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION JOINTLY SHALL:

4 (1) PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO:

5 (i) IMPLEMENT THE GUIDELINES ESTABLISHED UNDER THIS
6 SECTION; AND

7 (ii) INSTRUCT SCHOOL PERSONNEL AT THE LOCAL LEVEL
8 REGARDING THE GUIDELINES ESTABLISHED UNDER THIS SECTION; AND

9 (2) DEVELOP A PROCESS TO MONITOR IMPLEMENTATION OF THE
10 GUIDELINES.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2020.