

2024 MDDA SB 347 Designated Medical Personnel Supp

Uploaded by: Ashlie Bagwell

Position: FAV



Senate Bill 347: Medical Cannabis—Employees in Health Care Settings Caring for Qualifying Patients

On behalf of the Maryland Dispensary Association (MDDA)
Senate Finance Committee
Support
February 15, 2024

The Maryland Dispensary Association (MDDA), formerly the Maryland Medical Dispensary Association (MDMDA), was established in May, 2017 in order to promote the common interests and goals of the Medical Cannabis Dispensaries in Maryland. MDDA advocates for laws, regulations and public policies that foster a healthy, professional and secure medical cannabis industry in the State. MDDA works on the State and local level to advance the interest of licensed dispensaries as well as to provide a forum for the exchange of information in the Medical Cannabis Industry.

The MDDA has been a consistent supporter of policies that ensure access to medical cannabis for qualifying patients. Senate Bill 347 would allow designated medical personnel to administer medical cannabis to qualifying patients without having to register with the Maryland Cannabis Administration. Protections for designated medical personnel are included in the bill similar to those provided for designated school personnel authorized to administer medical cannabis.

This bill recognizes that cannabis is a vital medicine for many patients and, thus, ensures that patients have access to that medication regardless of health care setting. For this reason, we urge a favorable vote on Senate Bill 347.

Letter of Support Senate Bill 347 (1).pdf

Uploaded by: Brandon Butler

Position: FAV



February 14, 2024

The Honorable Pamela Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chair Beidle and Members of the Senate Finance Committee:

On behalf of Grow West MD, a cannabis cultivator in Cumberland, Maryland, I would like to express my unqualified support of **Senate Bill 347: Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients.**

The Maryland Medical Cannabis program opened access to patients, with a recommendation from a physician, to purchase cannabis products, and with the passing of the Adult Use program anyone over the age of 21 is now able to join the group. However, there is still a large, overlooked group of people in our communities. I am referring to our senior population living in assisted living facilities who rely on the expert care of staff to meet their needs. Many of these residents want to have the right and the ability to consume medical cannabis products in their home. The current caregiver designation process restricts how these residents can access medical cannabis.

Under Senate Bill 347, licensed medical staff will be allowed to administer cannabis to the medical patient when the patient's designated caregiver is not available.

We are proud to have worked with the Maryland Cannabis Administration on the measure.

Therefore, on behalf of Grow West MD, I am respectfully requesting a favorable report of this bill.

Sincerely,

Susan Valois
President
Grow West MD, LLC



SB347.pdf

Uploaded by: Mike McKay

Position: FAV

MIKE MCKAY
Legislative District 1
Garrett, Allegany, and Washington Counties



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Judicial Proceedings Committee
Executive Nominations Committee

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Senate Bill 347 – Fire Medical Cannabis – Employees in Health Care Settings Caring for Qualifying
Patients – Exemption

February 12, 2024

Dear Chair Beidle, Vice Chair Klausmeier, and Members of the Committee,

The purpose of the bill is to allow designated medical personnel to expand their ability to treat patients with medical cannabis. Currently, we are finding out the benefits of how medical cannabis can help individuals suffering from different medical conditions. Nurses and other medical personnel will be able to treat patients in facilities such as hospitals, hospice care centers, nursing homes, and more with this bill. These medical personnel will be designated in writing to provide this care and will thus be given the expanded responsibility to care for the well-being of the patient. Thank you very much and I ask for a favorable report

Sincerely,

A handwritten signature in black ink that reads "Mike McKay".

Senator Mike McKay

Representing the Appalachia Region of Maryland

Serving Garrett, Allegany, and Washington Counties

SB 347 - Finance - MDH- Letter of Concern.pdf

Uploaded by: Jason Caplan

Position: UNF



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 15, 2024

The Honorable Pamela Beidle
Chair, Senate Finance Committee
Room 3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: Senate Bill 347 – Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients – Letter of Concern

Dear Chair Beidle and Committee Members,

The Maryland Department of Health (Department) respectfully submits this letter of concern for Senate Bill 347 (SB) 347 entitled “Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients.” SB 347 will allow a qualified patient to obtain medical cannabis through medical personnel who are employed by medical agencies and healthcare facilities.

The provisions of SB 347 could jeopardize receipt of federal funds and certification through the Centers for Medicare & Medicaid Services (CMS) for healthcare facilities and certain community providers. Currently, under federal law, cannabis remains illegal while many states including Maryland have legalized it in certain forms. The conflict between state and federal law places healthcare facilities and community providers in a unique situation as the use or administration of cannabis within the enumerated healthcare facilities could violate conditions of participation with CMS, impacting certification, and possibly leading to loss of federal funding.

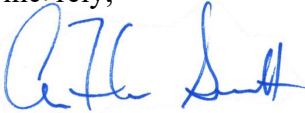
As a result, the Department is concerned that SB 347 could jeopardize the Department’s CMS certification and federal funding for its operated healthcare facilities¹, as well as Medicaid waiver funding for home and community based services. In part, federal funding for certain residential provider services offered under the State’s Medicaid waiver programs through the Developmental Disabilities Administration may be impacted. Loss of Federal funding could

¹ The Department operates two Intermediate Care Facilities for individuals with developmental or intellectual disabilities - The Holly Center located in Salisbury, Maryland and The Potomac Center located in Hagerstown, Maryland. Additionally, the Department believes up to eight other facilities operated by the Department’s Healthcare System may be considered “related institutions” under the bill.

result in an additional General Funds burden for the Healthcare System and for the Department generally. Additionally, individual healthcare providers in the State who bill CMS for services provided under Medicare, Medicaid, or related programs are also subject to these conditions of participation and would jeopardize their own federal funding.

If you would like to discuss this further, please contact Sarah Case-Herron, Director of Governmental Affairs, at sarah.case-herron@maryland.gov.

Sincerely,



Laura Herrera Scott, M.D., M.P.H.
Secretary

SB347. The Arc Maryland_Letter of Information.pdf

Uploaded by: Ande Kolp

Position: INFO



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SB347: Medical Cannabis – Employees in Health Care Settings
Caring for Qualifying Patients
Finance Committee
February 15, 2024
Letter of Information

The Arc Maryland is a statewide disability advocacy organization that is dedicated to the preserving the rights, and improving the quality of life, of individuals with intellectual and developmental disabilities.

The medical use of Cannabis and cannabinoids has been shown to have beneficial health impacts for some people with intellectual and developmental disabilities. Medical Cannabis can effectively be used in treatment to reduce anxiety, reduce pain, increase appetite, control inflammation and muscle spasms, and help manage seizures. For these reasons, medical cannabis is referred to as a miracle treatment by some families connected to The Arc and we are hopeful for its expanded availability and use to address behavioral and physical health needs.

Although cannabis was legalized in Maryland this past year, cannabis continues to be illegal under federal law and is categorized as a Schedule 1 controlled substance.

Providers like The Arc deliver Home and Community Based Services under a Medicaid 1915(c) Waiver. The Waiver allows people with developmental disabilities to receive institutional-level services in their home communities, and allows the state to draw a federal funding match on state funds utilized for these critical services.

Prior to passage of this bill, we hope there is a thorough analysis into how the authority, created through this legislation, and activity to administer medical cannabis may impact our ability to receive federal funding matches.

Respectfully,

Ande Kolp, Executive Director akolp@thearcmd.org

LOI - SB0347- MCA.docx (1).pdf

Uploaded by: Andrew Garrison

Position: INFO



February 15, 2024

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3E Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: Senate Bill 347 – Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients – Letter of Information

Dear Chair Beidle -

The Maryland Cannabis Administration (MCA) is submitting this letter of Information for Senate Bill 347 – Medical Cannabis - Employees in Health Care Settings Caring for Qualifying Patients (SB0347).

SB0347 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 SB0347 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. SB0347 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. SB0347 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 Senate Finance Committee

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