



## Model Medical Cannabis Bill Summary

MPP's model medical cannabis bill allows patients with qualifying medical conditions and a recommendation from their healthcare practitioner to use and safely access medical cannabis, while including appropriate safeguards and regulations.

**Qualifying for the Program:** Patients generally must have a qualifying medical condition and a written certification from a healthcare practitioner with whom they have a bona fide practitioner-patient relationship. Certifying practitioners must have the authority to prescribe drugs. Patients who are registered in their home state may use cannabis while visiting if they have a qualifying condition. Due to VA policy against issuing medical cannabis certifications, veterans can qualify with proof of a qualifying condition and no recommendation.

**Qualifying Medical Conditions:** The qualifying conditions are: cancer, glaucoma, HIV/AIDS, amyotrophic lateral sclerosis, Crohn's disease, ulcerative colitis, Alzheimer's disease, PTSD, chronic pain, severe acute pain, autism, or the treatment of these conditions, or a chronic or debilitating medical condition that produces wasting syndrome, severe nausea, seizures, or severe and persistent muscle spasms. Practitioners can also certify patients who have any condition that is debilitating to them. The health department may consider petitions to add conditions.

**Designated Caregiver:** Patients may designate a caregiver to assist with their medical use of cannabis. If the patient's age or disability requires more than one caregiver, they (or the person responsible for their healthcare decisions) can submit evidence that one or more additional caregivers are necessary. Caregivers can only serve five qualifying patients, unless the designated caregiver is an institution providing schooling or healthcare.

**Limitations:** Patients are not allowed to smoke cannabis in public or to engage in any activities while under the influence of cannabis that would constitute negligence or malpractice. Driving while impaired remains illegal. Unless the patient's practitioner certified a greater amount was needed, a patient could obtain no more than 2.5 ounces of cannabis, or the equivalent, per 14-day period. Either a patient or their caregiver could cultivate up to six plants, and the cannabis harvested from those plants could be possessed at the same location. Cardholders who violate the law can have their ID cards revoked or suspended and, where applicable, face criminal penalties.

**Legal Protections:** The bill protects patients, caregivers, medical cannabis establishment staff, attorneys, accountants, and medical practitioners from being arrested or penalized for actions allowed by the bill. It also protects registered patients from discrimination in child custody, housing, education, employment, and eligibility for organ transplants. However, no employer would have to allow a patient to use cannabis during work or to work while they are impaired, and no entity would be prohibited from taking actions required by federal law, regulation, or a federal contract. The bill allows a practitioner's written certification to serve as an ID card — and thus provide legal protections — while patients wait for the department to process their application.

**Medical Cannabis Establishments and Regulation:** The health department would license and

regulate cultivation centers, processing facilities, dispensaries, and independent testing laboratories.

Regulators would develop numerous health and safety, oversight, security, training, and record keeping requirements, along with restrictions on advertising, labeling, and packaging. The department is also charged with facilitating participation by diverse groups.

**Local Authority:** A local government may regulate the location, hours of operation, and number of medical cannabis establishments in the locality.