

Key Provisions of Illinois' SB 336

- Establishes the Opioid Alternative Pilot Program, allowing certain patients who otherwise would be prescribed opioids — or have already been prescribed them — access to medical cannabis as an alternative.
- Creates a “provisional registration” status allowing all patients a 90-day interim period of eligibility, while their application is being processed. This applies both to patients who could be prescribed opiates and all other qualifying patients.
- Eliminates background checks and fingerprinting requirements for all applicants and participants in the existing medical cannabis program and the new Opioid Alternative Pilot Program.
- Grants the Illinois Department of Financial and Professional Regulation, the Illinois Department of Public Health, the Illinois Department of Agriculture, and the Illinois Department of Human Services emergency authority implement and operate the new program.
- Defines a “bona fide physician-patient relationship,” which a certifying physician must have with a patient, as a relationship established at a hospital, physician’s office or other healthcare facility in which the physician has an ongoing responsibility for the patient’s assessment, care, and treatment.
- Makes it a crime to knowingly submit a fraudulent application to the medical cannabis program and allows for someone intentionally submitting a fraudulent application to be permanently barred from future participation in either the program.
- Bans anyone from charging a patient a fee to complete an application for the medical cannabis eligibility. Makes a violation of this prohibition a Class C misdemeanor punishable by restitution to the applicant as well as a fine of up to \$1,500. The Illinois Department of Public Health will refer such violations to the Illinois State Police for enforcement.
- Requires the Illinois Department of Financial and Professional Regulation and the Illinois Department of Public Health to promulgate emergency rules to implement the bill by December 1, 2018.