



General Assembly

January Session, 2007

**Amendment**

LCO No. 7700

**\*HB0671507700HRO\***

Offered by:

REP. BOUCHER, 143<sup>rd</sup> Dist.

REP. ADINOLFI, 103<sup>rd</sup> Dist.

To: Subst. House Bill No. 6715

File No. 420

Cal. No. 348

**"AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA."**

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. (NEW) (*Effective October 1, 2007*) As used in sections 1 to  
3 9, inclusive, of this act, unless the context otherwise requires:

4 (1) "Marijuana" has the same meaning as provided in section 21a-  
5 240 of the general statutes;

6 (2) "Palliative use" means the acquisition and distribution,  
7 possession, cultivation, use or transportation of marijuana or  
8 paraphernalia relating to marijuana to alleviate a qualifying patient's  
9 symptoms or the effects of such symptoms, but does not include any  
10 such use of marijuana by any person other than the qualifying patient.  
11 For the purposes of this subdivision, "acquisition and distribution"  
12 means the transfer of marijuana and paraphernalia relating to  
13 marijuana from the primary caregiver to the qualifying patient;

14 (3) "Physician" means a person who is licensed under the provisions  
15 of chapter 370 of the general statutes, but does not include a physician  
16 assistant, as defined in section 20-12a of the general statutes;

17 (4) "Primary caregiver" means a person, other than the qualifying  
18 patient and the qualifying patient's physician, who is eighteen years of  
19 age or older and has agreed to undertake responsibility for managing  
20 the well-being of the qualifying patient with respect to the palliative  
21 use of marijuana, provided (A) in the case of a qualifying patient  
22 lacking legal capacity, such person shall be a parent, guardian or  
23 person having legal custody of such qualifying patient, and (B) the  
24 need for such person shall be evaluated by the qualifying patient's  
25 physician and such need shall be documented in the written  
26 certification;

27 (5) "Qualifying patient" means a person who is eighteen years of age  
28 or older and has been diagnosed by a physician as having a terminal  
29 illness;

30 (6) "Usable marijuana" means the dried leaves and flowers of the  
31 marijuana plant, and any mixtures or preparations thereof, that are  
32 appropriate for the palliative use of marijuana, but does not include  
33 the seeds, stalks and roots of the plant; and

34 (7) "Written certification" means a statement signed by the  
35 qualifying patient's physician stating that, in such physician's  
36 professional opinion, the qualifying patient has a terminal illness and  
37 the potential benefits of the palliative use of marijuana would likely  
38 outweigh the health risks of such use to the qualifying patient."

39 In line 52, strike "debilitating medical condition" and insert  
40 "terminal illness" in lieu thereof

41 In line 175, strike "debilitating medical condition" and insert  
42 "terminal illness" in lieu thereof