



General Assembly

January Session, 2007

Amendment

LCO No. 8248

HB0671508248SRO

Offered by:
SEN. FREEDMAN, 26th Dist.

To: Subst. House Bill No. 6715 File No. 878 Cal. No. 633

"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 177, strike "debilitating medical condition" and insert
42 "terminal illness" in lieu thereof