



General Assembly

January Session, 2011

Amendment

LCO No. 7698

SB0101507698SR0

Offered by:
SEN. BOUCHER, 26th Dist.

To: Senate Bill No. 1015

File No. 605

Cal. No. 375

"AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA."

1 In lines 1, 147, 155, 164, 167, 191, 194, 200 and 225, strike "1 to 9" and
2 substitute "1 to 10" in lieu thereof

3 Strike lines 39 to 44, inclusive, in their entirety, and substitute the
4 following in lieu thereof:

5 "(8) "Written certification" means a statement (A) signed by the
6 qualifying patient's physician stating that, in such physician's
7 professional opinion and the opinion of the palliative marijuana
8 review panel established in section 10 of this act, the qualifying patient
9 has a debilitating medical condition and the potential benefits of the
10 palliative use of marijuana would likely outweigh the health risks of
11 such use to the qualifying patient, and (B) that is attached to a written
12 notice from such palliative marijuana review panel that the panel
13 agrees with the physician's opinion that the qualifying patient has a
14 debilitating medical condition and the potential benefits of the
15 palliative use of marijuana would likely outweigh the health risks of

16 such use to the qualifying patient."

17 After line 211, insert the following and renumber sections and
18 internal references accordingly:

19 "Sec. 10. (NEW) (*Effective October 1, 2011*) (a) The Commissioner of
20 Consumer Protection shall establish a palliative marijuana review
21 panel consisting of seven physicians or surgeons who are
22 knowledgeable about the palliative use of marijuana and certified by
23 the appropriate American board in one of the following specialties:
24 Neurology, pain medicine, pain management, medical oncology,
25 psychiatry, infectious disease, family medicine or gynecology. The
26 commissioner shall select the members from a list submitted by the
27 Connecticut Medical Society. Four of the members of the panel first
28 appointed shall serve for a term of four years and three of the members
29 of the panel first appointed shall serve for a term of three years.
30 Thereafter, members of the panel shall serve for a term of four years
31 and shall be eligible for reappointment. Any member of the panel may
32 serve until a successor is appointed. At the first meeting of the panel,
33 the panel shall select a chairperson from among its members.

34 (b) A quorum of the palliative marijuana review panel shall consist
35 of four members.

36 (c) Prior to signing a written certification on behalf of a qualifying
37 patient, a physician shall submit, on such form as the review panel
38 prescribes, such physician's opinion that a qualifying patient has a
39 debilitating medical condition and the potential benefits of the
40 palliative use of marijuana would likely outweigh the health risks of
41 such use to the qualifying patient. The palliative marijuana review
42 panel shall review such opinion and determine whether the board
43 agrees that the qualifying patient has a debilitating medical condition
44 and the potential benefits of the palliative use of marijuana would
45 likely outweigh the health risks of such use to the qualifying patient.
46 The panel shall complete its review within thirty days after receiving
47 such form, and shall notify such physician and the Commissioner of

48 Consumer Protection in writing whether the board agrees with such
49 physician's opinion not later than five business days after completing
50 its review.

51 (d) The decision of the panel under this section shall be final and a
52 review under this section shall not be deemed a contested case, as
53 defined in section 4-166 of the general statutes, except that nothing in
54 this section shall prohibit a physician from submitting a form with
55 supplemental information on behalf of a qualifying patient after a
56 determination by the panel that the panel does not agree with the
57 physician's opinion that the qualifying patient has a debilitating
58 medical condition and the potential benefits of the palliative use of
59 marijuana would likely outweigh the health risks of such use to the
60 qualifying patient.

61 (e) Any information submitted to the board pursuant to this section
62 shall be confidential and shall not be subject to disclosure under the
63 Freedom of Information Act, as defined in section 1-200 of the general
64 statutes."