



General Assembly

January Session, 2019

***Raised Bill No. 7287***

LCO No. 5123



Referred to Committee on GENERAL LAW

Introduced by:  
(GL)

***AN ACT CONCERNING REVISIONS TO THE MEDICAL MARIJUANA PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of section 21a-408 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (3) "Debilitating medical condition" means (A) cancer, glaucoma,  
5 positive status for human immunodeficiency virus or acquired  
6 immune deficiency syndrome, Parkinson's disease, multiple sclerosis,  
7 damage to the nervous tissue of the spinal cord with objective  
8 neurological indication of intractable spasticity, epilepsy or  
9 uncontrolled intractable seizure disorder, cachexia, wasting syndrome,  
10 Crohn's disease, posttraumatic stress disorder, irreversible spinal cord  
11 injury with objective neurological indication of intractable spasticity,  
12 cerebral palsy, cystic fibrosis, [or] terminal illness requiring end-of-life  
13 care, or opioid use disorder, except, if the qualifying patient is under  
14 eighteen years of age, "debilitating medical condition" means terminal  
15 illness requiring end-of-life care, irreversible spinal cord injury with

16 objective neurological indication of intractable spasticity, cerebral  
17 palsy, cystic fibrosis, severe epilepsy or uncontrolled intractable  
18 seizure disorder, or (B) any medical condition, medical treatment or  
19 disease approved for qualifying patients by the Department of  
20 Consumer Protection pursuant to regulations adopted under section  
21 21a-408m;

22 Sec. 2. Subsection (a) of section 21a-408d of the general statutes is  
23 repealed and the following is substituted in lieu thereof (*Effective from*  
24 *passage*):

25 (a) Each qualifying patient who is issued a written certification for  
26 the palliative use of marijuana under subdivision (1) of subsection (a)  
27 of section 21a-408a, and the primary caregiver of such qualifying  
28 patient, shall register with the Department of Consumer Protection.  
29 Such registration shall be effective from the date the Department of  
30 Consumer Protection issues a certificate of registration until the  
31 expiration of the written certification issued by the physician or  
32 advanced practice registered nurse. The qualifying patient and the  
33 primary caregiver shall provide sufficient identifying information, as  
34 determined by the department, to establish the personal identity of the  
35 qualifying patient and the primary caregiver. If the qualifying patient  
36 is under eighteen years of age and not an emancipated minor, the  
37 custodial parent, guardian or other person having legal custody of the  
38 qualifying patient shall also provide a letter from both the qualifying  
39 patient's primary care provider and a physician who is board certified  
40 in an area of medicine involved in the treatment of the debilitating  
41 condition for which the qualifying patient was certified that confirms  
42 that the palliative use of marijuana is in the best interest of the  
43 qualifying patient. A physician may issue a written certification for the  
44 palliative use of marijuana by a qualifying patient who is under  
45 eighteen years of age, provided such written certification shall not be  
46 for marijuana in a dosage form that requires that the marijuana be  
47 smoked, inhaled or vaporized. The qualifying patient or the primary  
48 caregiver shall report any change in the identifying information to the  
49 department not later than five business days after such change. The

50 department shall issue a registration certificate to the qualifying  
51 patient and to the primary caregiver [and may charge a reasonable fee,  
52 not to exceed twenty-five dollars, for each registration certificate  
53 issued under this subsection] at no charge. [Any registration fees  
54 collected by the department under this subsection shall be paid to the  
55 State Treasurer and credited to the General Fund.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21a-408(3)
Sec. 2	<i>from passage</i>	21a-408d(a)

**Statement of Purpose:**

To amend palliative use of marijuana statutes by adding opioid use disorder as a debilitating medical condition and eliminating the qualifying patient and primary caregiver registration certificate fee.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*