
OLR Bill Analysis

sHB 5147

AN ACT CONCERNING PHYSICIAN ASSISTANTS AND THE PALLIATIVE USE OF MARIJUANA.

SUMMARY

This bill extends to physician assistants (PAs) the ability to certify a patient for medical marijuana use (except for glaucoma). Existing law allows advance practice registered nurses (APRNs) and physicians to certify patients for medical marijuana use (only physicians can certify glaucoma patients).

Among other things, the bill allows PAs to:

1. diagnose a patient's qualifying debilitating condition, except the bill does not authorize PAs to certify marijuana use for glaucoma;
2. issue a written certification, for up to one year, for a patient to use medical marijuana after (a) completing a medically reasonable assessment of the patient's medical history and condition; (b) making the diagnosis that the palliative use of marijuana would likely outweigh the health risks; and (c) explaining the potential risks and benefits to the patient and parent or guardian of a patient lacking legal capacity;
3. until June 30, 2023, certify a qualifying patient's use of medical marijuana and provide follow-up care using telehealth if they comply with other statutory certification and recordkeeping requirements; and
4. possess and supply marijuana to treat side effects of chemotherapy.

The bill extends to PAs the same protections from civil, criminal, and disciplinary liability that already apply to physicians and APRNs under

the medical marijuana law. As is the case for physicians and APRNs, the bill prohibits PAs from having a financial interest in any cannabis establishment, except retailers and delivery services.

The bill also makes various minor, technical, and conforming changes.

EFFECTIVE DATE: January 1, 2023

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/15/2022)