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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 706, L.D. 1779, Bill, “An Act Relating to Nursing Facility and Inpatient Hospice Patients and Medical Marijuana Use”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §2423-A, sub-§4-A is enacted to read:

4-A. Use and storage in inpatient hospice facility or nursing facility permitted.
A qualifying patient who is a resident of a hospice provider facility licensed under chapter 1681 or nursing facility licensed under chapter 405, while in the hospice provider facility or nursing facility, may use forms of prepared marijuana that are not smoked, including, but not limited to, vaporized marijuana, edible marijuana and tinctures and salves of marijuana. A qualifying patient who uses a form of prepared marijuana pursuant to this subsection may store the prepared marijuana in the qualifying patient's room and is not required to obtain a registry identification card or to designate the hospice provider or nursing facility as a primary caregiver under subsection 4. A hospice provider or nursing facility is not required to be named as a primary caregiver by a qualifying patient who uses prepared marijuana pursuant to this subsection. This subsection does not limit the ability of a hospice provider or nursing facility to prohibit or restrict the use or storage of prepared marijuana by a qualifying patient.'

SUMMARY

This amendment replaces the bill. It allows a hospice provider facility or nursing facility to allow a qualifying patient to use prepared marijuana for medical use without requiring the facility to be named as a primary caregiver or the qualifying patient to obtain a registry identification card as long as the prepared marijuana is used in a form that is not smoked. The amendment allows a hospice provider facility or nursing facility to adopt a policy that restricts or prevents the use or storage of marijuana by qualifying patients residing within the facility.

COMMITTEE AMENDMENT