



General Assembly

Substitute Bill No. 7287

January Session, 2019



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2 repealed and the following is substituted in lieu thereof (*Effective from*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23 repealed and the following is substituted in lieu thereof (*Effective from*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.]

56 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of
57 Consumer Protection shall cease charging the nonrefundable fee for
58 administrative costs for each qualifying patient and the nonrefundable
59 application fee for each qualifying patient and caregiver under chapter
60 420f of the general statutes. The commissioner shall also cease charging
61 the renewal fee for each qualifying patient under chapter 420f of the
62 general statutes. The commissioner shall amend existing regulations to
63 eliminate such fees in accordance with the provisions of this section.

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)
Sec. 3	<i>from passage</i>	New section

GL *Joint Favorable Subst.*