

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate  
3 Bill No. 14 entitled “An act relating to single dose, child-resistant packaging  
4 and labeling of marijuana-infused edible or potable products sold by a  
5 registered dispensary” respectfully reports that it has considered the same and  
6 recommends that the bill be amended by striking out all after the enacting  
7 clause and inserting in lieu thereof the following:

8 Sec. 1. 18 V.S.A. § 4472(11) is amended to read:

9 (11) “Registered caregiver” means a person who is at least 21 years ~~old~~  
10 ~~who has never been convicted of a drug-related crime of age, has met~~  
11 eligibility requirements as determined by the Department in accordance with  
12 this chapter, and who has agreed to undertake responsibility for managing the  
13 well-being of a registered patient with respect to the use of marijuana for  
14 symptom relief.

15 Sec. 2. 18 V.S.A. § 4473 is amended to read:

16 § 4473. REGISTERED PATIENTS; QUALIFICATION STANDARDS AND  
17 PROCEDURES

18 \* \* \*

19 (b) The Department of Public Safety shall review applications to become a  
20 registered patient using the following procedures:

21 \* \* \*

1           (5)(A) A Review Board is established. ~~The Medical Practice Board~~  
2 ~~shall appoint three physicians licensed in Vermont to constitute the Review~~  
3 ~~Board. If an application under subdivision (1) of this subsection is denied,~~  
4 ~~within seven days the patient may appeal the denial to the Board. Review shall~~  
5 ~~be limited to information submitted by the patient under subdivision (1) of this~~  
6 ~~subsection, and consultation with the patient’s treating health care professional.~~  
7 ~~All records relating to the appeal shall be kept confidential. An appeal shall be~~  
8 ~~decided by majority vote of the members of the Board.~~ The Review Board shall  
9 comprise three members:

10                   (i) a physician appointed by the Medical Practice Board;

11                   (ii) a naturopathic physician appointed by the Office of  
12 Professional Regulation; and

13                   (iii) an advanced practice registered nurse appointed by the Office  
14 of Professional Regulation.

15           (B) The Board shall meet periodically to review studies, data, and  
16 any other information relevant to the use of marijuana for symptom relief. The  
17 Board may make recommendations to the General Assembly for adjustments  
18 and changes to this chapter.

19           (C) Members of the Board shall serve for three-year terms, beginning  
20 February 1 of the year in which the appointment is made, except that the first  
21 members appointed shall serve as follows: one for a term of two years, one for

1 a term of three years, and one for a term of four years. Members shall be  
2 entitled to per diem compensation authorized under 32 V.S.A. § 1010.  
3 Vacancies shall be filled in the same manner as the original appointment for  
4 the unexpired portion of the term vacated.

5 (D) If an application under subdivision (1) of this subsection is denied,  
6 within seven days the patient may appeal the denial to the Board. Review shall  
7 be limited to information submitted by the patient under subdivision (1) of this  
8 subsection, and consultation with the patient’s treating health care professional.  
9 All records relating to the appeal shall be kept confidential. An appeal shall be  
10 decided by majority vote of the members of the Board.

11 Sec. 3. 18 V.S.A. § 4474a(b) is amended to read:

12 (b)(1) ~~A~~ Except as provided in subdivision (2) of this subsection, a  
13 registration card shall expire one year after the date of issue, with the option of  
14 renewal, provided the patient submits a new application which is approved by  
15 the ~~department of public safety~~ Department of Public Safety, pursuant to  
16 section 4473 or 4474 of this title, and pays the fee required under subsection  
17 (a) of this section.

18 (2) A registration card issued to a patient with a terminal illness shall not  
19 expire and the patient shall be required to pay only the initial registration fee.

1 Sec. 4. 18 V.S.A. § 4474e is amended to read:

2 § 4474e. DISPENSARIES; CONDITIONS OF OPERATION

3 (a) A dispensary registered under this section may:

4 (1) Acquire, possess, cultivate, manufacture, transfer, transport, supply,  
5 sell, and dispense marijuana, marijuana-infused products, and  
6 marijuana-related supplies and educational materials for or to a registered  
7 patient who has designated it as his or her dispensary and to his or her  
8 registered caregiver for the registered patient’s use for symptom relief.

9 (A) Marijuana-infused products shall include tinctures, oils, solvents,  
10 and edible or potable goods. Only the portion of any marijuana-infused  
11 product that is attributable to marijuana shall count toward the possession  
12 limits of the dispensary and the patient. The Department of Public Safety shall  
13 establish by rule the appropriate method to establish the weight of marijuana  
14 that is attributable to marijuana-infused products. A dispensary shall dispense  
15 marijuana-infused products in child-resistant packaging. “Child-resistant  
16 packaging” means packaging that is designed or constructed to be significantly  
17 difficult for children under five years of age to open or obtain a toxic or  
18 harmful amount of the substance contained therein within a reasonable time  
19 and not difficult for normal adults to use properly, but does not mean  
20 packaging which all such children cannot open or obtain a toxic or harmful  
21 amount within a reasonable time.

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(h) A dispensary shall include a label on the packaging of all marijuana that is dispensed. The label shall:

(1) identify ~~Identify~~ the particular strain of marijuana ~~contained therein~~.

Cannabis strains shall be either pure breeds or hybrid varieties of cannabis and shall reflect properties of the plant. ~~The label also shall~~

(2) Identify the amount of tetrahydrocannabinol in each single dose marijuana-infused edible or potable product.

(3) contain ~~Contain~~ a statement to the effect that the State of Vermont does not attest to the medicinal value of cannabis.

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Sec. 5. 18 V.S.A. § 4474g is amended to read:

§ 4474g. DISPENSARY REGISTRY IDENTIFICATION CARD;

CRIMINAL BACKGROUND CHECK

(a) Except as provided in subsection (b) of this section, the Department of Public Safety shall issue each principal officer, Board member, and employee of a dispensary a registry identification card or renewal card within 30 days of receipt of the person's name, address, and date of birth and a fee of \$50.00.

The fee shall be paid by the dispensary and the cost shall not be passed on to a principal officer, Board member, or employee. A person shall not serve as principal officer, Board member, or employee of a dispensary until that person

1 has received a registry identification card issued under this section. Each card  
2 shall specify whether the cardholder is a principal officer, Board member, or  
3 employee of a dispensary and shall contain the following:

4 (1) the name, address, and date of birth of the person;

5 (2) the legal name of the dispensary with which the person is affiliated;

6 (3) a random identification number that is unique to the person;

7 (4) the date of issuance and the expiration date of the registry  
8 identification card;

9 (5) a photograph of the person.

10 (b) Prior to acting on an application for a registry identification card, the  
11 Department of Public Safety shall obtain with respect to the applicant a  
12 Vermont criminal history record, an out-of-state criminal history record, and a  
13 criminal history record from the Federal Bureau of Investigation. Each  
14 applicant shall consent to the release of criminal history records to the  
15 Department on forms developed by the Vermont Crime Information Center. A  
16 fingerprint-supported, out-of-state criminal history record and a criminal  
17 history record from the Federal Bureau of Investigation are not required for  
18 renewal of a card.

1 Sec. 6. 18 V.S.A. § 4474h is amended to read:

2 § 4474h. PATIENT DESIGNATION OF DISPENSARY

3 (a) A registered patient may obtain marijuana only from the patient's  
4 designated dispensary and may designate only one dispensary. If a registered  
5 patient designates a dispensary, the patient and his or her caregiver may not  
6 grow marijuana or obtain marijuana or marijuana-infused products for  
7 symptom relief from any source other than the designated dispensary. A  
8 registered patient who wishes to change his or her dispensary shall notify the  
9 ~~department of public safety~~ Department of Public Safety in writing on a form  
10 issued by the ~~department~~ Department and shall submit with the form a fee of  
11 ~~\$25.00~~ \$10.00. The ~~department~~ Department shall issue a new identification  
12 card to the registered patient within 30 days of receiving the notification of  
13 change in dispensary. The registered patient's previous identification card  
14 shall expire at the time the new identification card takes effect. A registered  
15 patient shall submit his or her expired identification card to the ~~department~~  
16 Department within 30 days of expiration. A registered patient shall not change  
17 his or her designated dispensary more than once in any ~~90-day~~ 30-day period.

18 (b) The ~~department of public safety~~ Department of Public Safety shall track  
19 the number of registered patients who have designated each dispensary. The  
20 ~~department~~ Department shall issue a monthly written statement to the  
21 dispensary identifying the number of registered patients who have designated

1 that dispensary and the registry identification numbers of each patient and each  
2 patient's designated caregiver, if any.

3 (c) In addition to the monthly reports, the ~~department of public safety~~  
4 Department of Public Safety shall provide written notice to a dispensary  
5 whenever any of the following events occurs:

6 (1) ~~A~~ a qualifying patient designates the dispensary to serve his or her  
7 needs under this subchapter;

8 (2) ~~An~~ an existing registered patient revokes the designation of the  
9 dispensary because he or she has designated a different dispensary; or

10 (3) ~~A~~ a registered patient who has designated the dispensary loses his or  
11 her status as a registered patient under this subchapter.

12 Sec. 7. EFFECTIVE DATE

13 This act shall take effect on July 1, 2015

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16 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE