

1 H.803

2 Introduced by Representative Keefe of Manchester

3 Referred to Committee on

4 Date:

5 Subject: Health; therapeutic use of cannabis

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 definition of a bona fide health care professional-patient relationship; directs
8 the marijuana Review Board to expand to five members, including three
9 physicians; directs the Board to make findings regarding proposed qualifying
10 conditions; and requires additional labeling information on marijuana sold in
11 dispensaries.

12 An act relating to miscellaneous amendments to the medical marijuana
13 program

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 18 V.S.A. § 4472 is amended to read:

16 § 4472. DEFINITIONS

17 As used in this subchapter:

18 (1)(A) “Bona fide health care professional-patient relationship” means a
19 treating or consulting relationship of not less than three months’ duration, in
20 the course of which a health care professional has completed a full assessment

1 of the registered patient's medical history and current medical condition,
2 including a personal physical examination. It shall not include cases in which
3 the health care professional charges the patient differential costs based on
4 whether the patient is found to have a debilitating medical condition or based
5 on whether the patient's application is approved or denied pursuant to section
6 4473 of this title.

7 * * *

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

9 § 4473. REGISTERED PATIENTS; QUALIFICATION STANDARDS

10 AND PROCEDURES

11 * * *

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

14 * * *

15 (5)(A) ~~A~~ The Review Board is established. The Review Board shall
16 comprise ~~three~~ five members:

17 (i) ~~a physician~~ three physicians appointed by the Medical Practice
18 Board;

19 (ii) a naturopathic physician appointed by the Office of
20 Professional Regulation; and

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

3 (B) The Board shall meet periodically to review studies, data, and
4 any other information relevant to the use of marijuana for symptom relief. The
5 Board may make recommendations to the General Assembly for adjustments
6 and changes to this chapter. To the extent practicable, when the General
7 Assembly introduces legislation that adds a qualifying debilitating medical
8 condition, the Board shall make a finding regarding whether high-quality
9 medical research demonstrates that marijuana is safe and effective for that
10 condition and shall send that information to the appropriate committees of
11 jurisdiction.

12 (C) Members of the Board shall serve for three-year terms, beginning
13 on February 1 of the year in which the appointment is made, except that the
14 first members appointed shall serve as follows: one for a term of two years,
15 one for a term of three years, and one for a term of four years. Members shall
16 be entitled to per diem compensation authorized under 32 V.S.A. § 1010.
17 Vacancies shall be filled in the same manner as the original appointment for
18 the unexpired portion of the term vacated.

19 (D) If an application under subdivision (1) of this subsection (b) is
20 denied, within seven days the patient may appeal the denial to the Board.
21 Review shall be limited to information submitted by the patient under

1 subdivision (1) of this subsection, and consultation with the patient's treating
2 health care professional. All records relating to the appeal shall be kept
3 confidential. An appeal shall be decided by majority vote of the members of
4 the Board.

5 Sec. 3. 18 V.S.A. § 4474e is amended to read:

6 § 4474e. DISPENSARIES; CONDITIONS OF OPERATION

7 * * *

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

10 (1) Identify the particular strain of marijuana. Cannabis strains shall be
11 either pure breeds or hybrid varieties of cannabis and shall reflect properties of
12 the plant.

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

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

17 (4) Include uniform warning information that addresses maximum safe
18 dosing, potential side effects, and potential toxicity of marijuana-containing
19 products. The Department of Public Safety, in conjunction with the
20 Department of Health, the Review Board, and other appropriate agencies, shall
21 establish the required content and format of warning information.

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(o) The Department of Public Safety, in conjunction with the Department of Health, the Review Board, and other appropriate agencies, shall establish the clinically appropriate amount of tetrahydrocannabinol in each single dose of marijuana and marijuana-infused edible or potable product sold by dispensaries.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2018.