

AMENDMENTS TO HOUSE BILL NO. 1024

Sponsor: REPRESENTATIVE DeLISSIO

Printer's No. 1596

1 Amend Bill, page 1, line 21, by inserting after

2 "requirements;"

3 in Medical Marijuana Advisory Board, further providing for
4 advisory board and for regulations based on recommendations
5 of advisory board;

6 Amend Bill, page 1, line 25, by striking out ""caregiver"
7 and" and inserting

8 "caregiver,"

9 Amend Bill, page 1, line 26, by inserting after "care""

10 and "serious medical condition"

11 Amend Bill, page 2, by inserting between lines 20 and 21

12 "Serious medical condition." Any of the following:

13 (1) Cancer, including remission therapy.

14 (2) Positive status for human immunodeficiency virus or
15 acquired immune deficiency syndrome.

16 (3) Amyotrophic lateral sclerosis.

17 (4) Parkinson's disease.

18 (5) Multiple sclerosis.

19 (6) Damage to the nervous tissue of the [spinal cord]

20 central nervous system with objective neurological indication
21 of intractable spasticity and other associated neuropathies.

22 (7) Epilepsy.

23 (8) Inflammatory bowel disease.

24 (9) Neuropathies.

25 (10) Huntington's disease.

26 (11) Crohn's disease.

27 (12) Post-traumatic stress disorder.

28 (13) Intractable seizures.

29 (14) Glaucoma.

30 (15) Sickle cell anemia.

31 (16) Severe chronic or intractable pain of neuropathic
32 origin or severe chronic or intractable pain [in which
33 conventional therapeutic intervention and opiate therapy is

1 contraindicated or ineffective].

2 (17) Autism.

3 (18) Neurodegenerative diseases.

4 (19) Terminal illness.

5 (20) Dyskinetic and spastic movement disorders.

6 (21) Opioid use disorder for which conventional
7 therapeutic interventions are contraindicated or ineffective,
8 or for which adjunctive therapy is indicated in combination
9 with primary therapeutic interventions.

10 (22) Anxiety disorders.

11 (23) Tourette Syndrome.

12 * * *

13 Amend Bill, page 2, line 22, by striking out "801(e)" and
14 inserting

15 801(b) and (e)

16 Amend Bill, page 2, line 22, by inserting after "802(a)(1)"
17 , 1201, 1202

18 Amend Bill, page 5, lines 29 and 30; page 6, lines 1 through
19 12; by striking out all of said lines on said pages

20 Amend Bill, page 6, lines 21 through 26, by striking out "FOR
21 THE PURPOSE OF PARAGRAPH (1), THE" in line 21 and all of lines
22 22 through 26 and inserting

23 In addition to the requirements of the department under
24 paragraph (1), a grower/processor shall maintain continuous
25 video surveillance. A grower/processor is required to retain
26 the recordings for a period of no less than one year, unless
27 otherwise required for investigative or litigation purposes.

28 Amend Bill, page 6, lines 27 through 30; page 7, lines 1
29 through 20; by striking out all of said lines on said pages and
30 inserting

31 (c) Pesticides.--The department shall establish, in
32 cooperation with the Department of Agriculture, a periodic
33 process under which pesticides may be reviewed and approved for
34 use by a grower/processor.

35 Amend Bill, page 7, line 22, by striking out "(A) GENERAL
36 TESTING.--"

37 Amend Bill, page 7, line 23, by striking out the bracket

1 before "AN"

2 Amend Bill, page 7, line 23, by striking out "] ONE OR MORE
3 INDEPENDENT LABORATORIES"

4 Amend Bill, page 7, line 27, by striking out the bracket
5 before the comma after "DETERMINE"

6 Amend Bill, page 7, line 28, by striking out "] OF"

7 Amend Bill, page 8, lines 1 through 12, by striking out all
8 of said lines

9 Amend Bill, page 8, by inserting between lines 14 and 15

10 (b) Requirements.--A dispensary shall have a physician or a
11 pharmacist [onsite] available, either in person or remotely, to
12 verify patient certifications and to consult with patients and
13 caregivers at all times during the hours the dispensary is open
14 to receive patients and caregivers. If a dispensary has more
15 than one separate location, a physician assistant or a certified
16 registered nurse practitioner may [be onsite at] cover each of
17 the other locations in lieu of the physician or pharmacist. A
18 physician, a pharmacist, a physician assistant or a certified
19 registered nurse practitioner shall, prior to assuming duties
20 under this paragraph, successfully complete the course
21 established in section 301(a)(6). A physician may not issue a
22 certification to authorize patients to receive medical marijuana
23 or otherwise treat patients at the dispensary.

24 * * *

25 Amend Bill, page 8, by inserting between lines 28 and 29

26 Section 1201. Advisory board.

27 * * *

28 (j) Duties.--The advisory board shall have the following
29 duties:

30 (1) To examine and analyze the statutory and regulatory
31 law relating to medical marijuana within this Commonwealth.

32 (2) To examine and analyze the law and events in other
33 states and the nation with respect to medical marijuana.

34 (3) To accept and review written comments from
35 individuals and organizations about medical marijuana.

36 (4) To issue [two years after the effective date of this
37 section a written report] written reports to the Governor,
38 the Senate and the House of Representatives no more
39 frequently than annually.

40 (5) The written [report] reports under paragraph (4)

1 shall include recommendations and findings as to the
2 following:

3 (i) Whether to change the types of medical
4 professionals who can issue certifications to patients.

5 (ii) Whether to change, add or reduce the types of
6 medical conditions which qualify as serious medical
7 conditions under this act.

8 (iii) Whether to change the form of medical
9 marijuana permitted under this act.

10 (iv) Whether to change, add or reduce the number of
11 growers/processors or dispensaries.

12 (v) How to ensure affordable patient access to
13 medical marijuana.

14 [(vi) Whether to permit medical marijuana to be
15 dispensed in dry leaf or plant form, for administration
16 by vaporization.]

17 (6) The [final written report] written reports issued
18 under this section shall be adopted at a public meeting. The
19 [report] reports shall be a public record under the act of
20 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
21 Law.

22 Section 1202. Regulations based on recommendations of advisory
23 board.

24 After receiving [the] a report of the advisory board under
25 section 1201(j)(4), at the discretion of the secretary, the
26 department may promulgate regulations to effectuate
27 recommendations made by the advisory board. The secretary shall
28 issue notice in the Pennsylvania Bulletin within 12 months of
29 the receipt of [the] a report of the advisory board. The notice
30 shall include the recommendations of the advisory board and
31 shall state the specific reasons for the decision of the
32 secretary on whether or not to effectuate each recommendation.

33 Amend Bill, page 9, line 6, by striking out "in 60 days" and
34 inserting

35 immediately