

## AN ACT

1 Amending the act of April 17, 2016 (P.L.84, No.16), entitled "An  
2 act establishing a medical marijuana program; providing for  
3 patient and caregiver certification and for medical marijuana  
4 organization registration; imposing duties on the Department  
5 of Health; providing for a tax on medical marijuana  
6 organization gross receipts; establishing the Medical  
7 Marijuana Program Fund; establishing the Medical Marijuana  
8 Advisory Board; establishing a medical marijuana research  
9 program; imposing duties on the Department of Corrections,  
10 the Department of Education and the Department of Human  
11 Services; and providing for academic clinical research  
12 centers and for penalties and enforcement," in research  
13 program, further providing for definitions, for establishment  
14 of medical marijuana research program, for medical marijuana  
15 research program administration, for approval, for  
16 requirements and for restrictions.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. The definition of "health care medical marijuana  
20 organization" in section 1901 of the act of April 17, 2016  
21 (P.L.84, No.16), known as the Medical Marijuana Act, is amended  
22 to read:

23 Section 1901. Definitions.

24 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Health care medical marijuana organization." A vertically  
4 integrated health system or an entity that is currently licensed  
5 or has been previously licensed for marijuana research under the  
6 United States marijuana patent, which is approved by the  
7 department to dispense medical marijuana or grow and process  
8 medical marijuana, or both, in accordance with a research study  
9 under this chapter.

10 \* \* \*

11 Section 2. Sections 1902(b)(4) and (5), 1903(c)(1) and (2),  
12 1904, 1905(b)(1) and 1906 of the act are amended to read:  
13 Section 1902. Establishment of medical marijuana research  
14 program.

15 \* \* \*

16 (b) Department duties.--The department shall:

17 \* \* \*

18 (4) Concurrent with the request to the United States  
19 Food and Drug Administration and United States Drug  
20 Enforcement Administration, publicly announce the formation  
21 of a research study to which a [vertically integrated health  
22 system] health care medical marijuana organization and a  
23 university within this Commonwealth may submit a request to  
24 participate.

25 (5) Upon approval of a research study by the United  
26 States Food and Drug Administration and the United States  
27 Drug Enforcement Administration, select a [vertically  
28 integrated health system or systems] health care medical  
29 marijuana organization or organizations to conduct the  
30 research study and designate the form or forms of medical

1 marijuana which will be used to treat the serious medical  
2 condition.

3 \* \* \*

4 Section 1903. Medical marijuana research program  
5 administration.

6 \* \* \*

7 (c) Research reports.--

8 (1) A [vertically integrated health system] health care  
9 medical marijuana organization shall report on the  
10 effectiveness of the use of medical marijuana for the  
11 treatment of the serious medical condition studied and all  
12 counterindications and noted side effects.

13 (2) The department shall notify the [vertically  
14 integrated health system] health care medical marijuana  
15 organization and the university participating in the research  
16 study of the data which is required to meet the United States  
17 Food and Drug Administration's and the United States Drug  
18 Enforcement Administration's approval for the research study.

19 \* \* \*

20 Section 1904. Approval.

21 A [vertically integrated health system] health care medical  
22 marijuana organization located in this Commonwealth may petition  
23 the department to participate in a research study to study a  
24 serious medical condition under section 1903. Approval of the  
25 [vertically integrated health system as a] health care medical  
26 marijuana organization by the department shall authorize access  
27 within a region under section 603(d) to medical marijuana for  
28 all patients included in an approved research study.

29 Section 1905. Requirements.

30 \* \* \*

1 (b) Growing and processing.--A health care medical marijuana  
2 organization that grows and processes medical marijuana shall:

3 (1) Maintain [~~licensure~~] a permit with the department as  
4 required under [~~the Health Care Facilities Act~~] Chapter 6.

5 \* \* \*

6 Section 1906. Restrictions.

7 A health care medical marijuana organization may not  
8 participate in a research study of any kind, including the  
9 program established under this chapter, or dispense or grow and  
10 process medical marijuana if it has violated its licensure  
11 requirements under the act of July 19, 1979 (P.L.130, No.48),  
12 known as the Health Care Facilities Act, or permit requirements  
13 under Chapter 6.

14 Section 3. This act shall take effect in 60 days.