

MARYLAND HOUSE BILL 302

MARYLAND MEDICAL MARIJUANA ACT

LEGISLATING COMPASSION

Introduced by Del. Cheryl D. Glenn. Co-sponsors: Dels. Anderson, Carter, Oaks, and B. Robinson
Analysis of introduced version (introduced January 24, 2013)

Who would be protected by the law?

- Qualifying patients, registered caregivers, recommending physicians, and medical cannabis provider are protected from arrest for medical cannabis activity permitted by the law. 25–601.
- The existing affirmative defense for patients remains in place, but the fines associated with it are removed from Maryland law. 5–601.
- Caregiver Restrictions: Must be at least 21 (or 18 if patient is an immediate family member); may not be convicted of a violent crime or for a felony drug conviction (unless the sentence was completed 5 years ago or was for certain medical cannabis conduct); only one caregiver per qualifying patient. *SUBTITLE 4. DESIGNATED CAREGIVERS*

What medical conditions would be eligible for medical cannabis (marijuana) therapy?

- “Debilitating medical condition” means: a chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: wasting syndrome; severe, debilitating, or chronic pain; severe nausea; seizures, including those characteristic of epilepsy; severe and persistent muscle spasms (multiple sclerosis, Crohn’s, etc.); agitation of Alzheimer’s disease; anxiety or depression; or any other medical condition as approved by the board under subtitle 2 of this title. Includes: cancer, glaucoma, HIV/AIDS, hepatitis C, amyotrophic lateral sclerosis, nail patella, post-traumatic stress disorder, bi-polar disorder, or treatment of any of the above. 5–101(f).

How would patients safely access medical cannabis under the law?

- Patients (or their caregiver) may possess up to 6 oz. of medicine;
- Patients (or their caregiver) may legally acquire medical cannabis either through personal cultivation, up to 12 mature and 12 immature plants; or,
- They may purchase up to 6 oz. per month from a compassion center (dispensary). 25–502.

Would the law prevent discrimination against medical cannabis patients?

- Access to registry of patients and caregivers only allowed to verify if a patient or caregiver is in compliance with the law; law enforcement may not use the registry as the basis for a search, arrest, prosecution, or inspection. 25–702.
- Strong protections from discrimination related to housing, employment, education, child custody, and organ transplants. 25–602, 604; 605.

What limitations must patients and caregivers adhere to under this law?

- Health insurance is not required to provide coverage for medical cannabis therapy, and neither employers nor hospitals or hotels must make accommodations for patients to use medical cannabis on their property. 25–610.