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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO FOOD AND DRUGS - MEDICAL MARIJUANA ACT

Introduced By: Representative Scott Slater

Date Introduced: March 02, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28.6-3 of the General Laws in Chapter 21-28.6 entitled "The
2 Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" is hereby amended to read as
3 follows:

4 **21-28.6-3. Definitions.** -- For the purposes of this chapter:

5 (1) "Cardholder" means a qualifying patient or a primary caregiver who has registered
6 with the department and has been issued and possesses a valid registry identification card.

7 (2) (i) "Compassion center" means a not-for-profit corporation, subject to the provisions
8 of chapter 6 of title 7, and registered under § 21-28.6-12, that acquires, possesses, cultivates,
9 manufactures, delivers, transfers, transports, supplies or dispenses marijuana, and/or related
10 supplies and educational materials, to patient cardholders and/or their registered caregiver
11 cardholder, who have designated it as one of their primary caregivers.

12 (ii) "Compassion center cardholder" means a principal officer, board member, employee,
13 volunteer, or agent of a compassion center who has registered with the department and has been
14 issued and possesses a valid registry identification card.

15 (3) "Debilitating medical condition" means:

16 (i) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired
17 immune deficiency syndrome, Hepatitis C, or the treatment of these conditions;

18 (ii) A chronic or debilitating disease or medical condition, or its treatment, that produces
19 one or more of the following: cachexia or wasting syndrome; severe, debilitating, chronic pain;

1 severe nausea; seizures, including but not limited to, those characteristic of epilepsy; or severe
2 and persistent muscle spasms, including but not limited to, those characteristic of multiple
3 sclerosis or Crohn's disease; or agitation of Alzheimer's Disease; or

4 (iii) Any other medical condition or its treatment approved by the department, as
5 provided for in § 21-28.6-5.

6 (4) "Department" means the Rhode Island department of health or its successor agency.

7 (5) "Dried" means containing a moisture content of ten percent (10%) or less.

8 ~~(5)~~(6) "Marijuana" has the meaning given that term in § 21-28-1.02(26).

9 ~~(6)~~(7) "Mature marijuana plant" means a marijuana plant that has flowers or buds that are
10 readily observable by an unaided visual examination.

11 ~~(7)~~(8) "Medical use" means the acquisition, possession, cultivation, manufacture, use,
12 delivery, transfer, or transportation of marijuana or paraphernalia relating to the consumption of
13 marijuana to alleviate a patient cardholder's debilitating medical condition or symptoms
14 associated with the medical condition.

15 ~~(8)~~(9) "Practitioner" means a person who is licensed with authority to prescribe drugs
16 pursuant to chapter 37 of title 5 or a physician licensed with authority to prescribe drugs in
17 Massachusetts or Connecticut.

18 ~~(9)~~(10) "Primary caregiver" means either a natural person, who is at least twenty-one
19 (21) years old, or a compassion center. A natural person primary caregiver may assist no more
20 than five (5) qualifying patients with their medical use of marijuana.

21 ~~(10)~~(11) "Qualifying patient" means a person who has been diagnosed by a practitioner
22 as having a debilitating medical condition and is a resident of Rhode Island.

23 ~~(11)~~(12) "Registry identification card" means a document issued by the department that
24 identifies a person as a registered qualifying patient, a registered primary caregiver, or a
25 registered principal officer, board member, employee, volunteer, or agent of a compassion center.

26 ~~(12)~~(13) "Seedling" means a marijuana plant with no observable flowers or buds.

27 ~~(13)~~(14) "Unusable marijuana" means marijuana seeds, stalks, seedlings, and unusable
28 roots.

29 ~~(14)~~(15) "Usable marijuana" means the dried leaves and flowers of the marijuana plant,
30 and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the
31 plant.

32 ~~(15)~~(16) "Written certification" means the qualifying patient's medical records, and a
33 statement signed by a practitioner, stating that in the practitioner's professional opinion, the
34 potential benefits of the medical use of marijuana would likely outweigh the health risks for the

1 qualifying patient. A written certification shall be made only in the course of a bona fide,
2 practitioner-patient relationship after the practitioner has completed a full assessment of the
3 qualifying patient's medical history. The written certification shall specify the qualifying patient's
4 debilitating medical condition or conditions.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FOOD AND DRUGS - MEDICAL MARIJUANA ACT

- 1 This act would define the term "dried" as having a moisture content of ten percent (10%)
- 2 or less.
- 3 This act would take effect upon passage.

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