

PHYSICIAN ASSISTANT AND CAREGIVER PROPOSAL

Summary

The proposal is necessary to conform regulations with HB 378/SB 304 (2020) entitled “Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers,” and HB 617/SB 604 (2020) entitled “Public and Nonpublic Schools – Medical Cannabis – Policy for Administration During School Hours and Events (Connor and Raina’s Law)” by:

- Expanding qualifying medical cannabis providers to include physician assistants; and
- Expanding the number of caregivers for qualifying medical cannabis patients who are less than 18 years old to include not more than two additional adults designated by the minor patient’s parent or legal guardian. (Current law limits the caregivers for a qualifying minor patient to the patient’s parent or legal guardian.)

10.62.01 Definitions

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) – (3) (text unchanged)

(4) Caregiver.

(a) (text unchanged)

(b) “Caregiver” means, for a qualifying patient younger than 18 years old[,]:

(1) [a] A parent [,] or legal guardian[.]; *and*

(2) *Not more than two additional adults designated by the parent or legal guardian.*

(5) (text unchanged)

(6) “Certifying provider” has the meaning stated in Health-General Article [□ 13-3301(c)] □13-3301(d), Annotated Code of Maryland.

(7) – (47) (text unchanged)

10.62.03 Certifying Providers

.01 Provider Application for Registration.

A. A provider seeking registration as a certifying provider shall submit an application provided by the Commission that includes:

(1) The provider's:

(a) – (d) (text unchanged)

(e) Maryland Board of Physicians, Board of Dental Examiners, Board of Podiatric Medical Examiners, or Board of Nursing license number, *and for certifying providers who are physician assistants, the license number of the physician assistant's primary supervising physician;* and

(f) (text unchanged)

(2) – (5) (text unchanged)

B. – E. (text unchanged)

10.62.04 Patient and Caregiver Registry

.04 Registration of a Caregiver.

A. A qualifying patient, *or a parent or legal guardian of a qualifying patient younger than 18 years old*, may designate an individual 21 years old or older to serve as a caregiver by logging onto the Commission website.

B. Upon being designated a caregiver by a qualifying patient, *or a parent or legal guardian of a qualifying patient younger than 18 years old*, a caregiver shall register with the Commission by logging onto the Commission website for caregiver registration and submitting:

(1) – (8) (text unchanged)

C. If designated to serve as a caregiver by another qualifying patient, *or a parent or guardian of a qualifying patient younger than 18 years old*, a registered caregiver may update [his or her] *the caregiver's* registration by:

(1) [logging] *Logging* onto the Commission website; and

(2) [submitting] *Submitting* the name and other details of the additional qualifying patient for whom the caregiver is providing assistance [or for whom the caregiver is a parent or legal guardian].

.05 Addition or Termination of a Caregiver.

A. A qualifying patient, *or a parent or guardian of a qualifying patient younger than 18 years old*, may terminate a caregiver by logging onto the Commission website and making the change.

B. (text unchanged)

C. *Notwithstanding §B of this regulation, a parent or legal guardian who is a caregiver for a qualifying patient younger than 18 years old may designate up to two additional caregivers.*

D. *Maximum Number of Caregivers.*

(1) Except as provided in §D(2) of this regulation, a qualifying patient may have no more than two caregivers.

(2) A qualifying patient under the age of 18 years may have no more than four caregivers, including each parent or legal guardian of the minor patient.