



## **Maryland General Assembly 2020 Session Recap**

### **House Bill 378 – Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers**

Cross File: Senate Bill 304

Sponsor: Delegate Kipke

Status: Returned Passed (Senate: 45 – 0; House : 136 – 0)

Effective Date: October 1, 2020

- Amends the definition of "certifying provider" to include physician assistants.
- A physician assistant is eligible to register with the Maryland Medical Cannabis Commission (“Commission”) as a certifying provider if they:
  - Have an active, unrestricted license to practice;
  - Have an active delegation agreement with a primary supervising physician who is a certifying provider; and
  - Are in good standing with the Maryland Board of Physicians.

### **House Bill 617 – Public and Nonpublic Schools – Medical Cannabis – Policy for Administration During School Hours and Events (Connor and Raina’s Law)**

Cross File: Senate Bill 604

Sponsors: Delegates Johnson, Kipke, Lisanti, et al

Status: Returned Passed (Senate: 46 - 0; House: 130 – 3)

Effective Date: Emergency Bill – Effective upon the Governor’s signing

- Allows a parent or guardian of a minor qualified patient to designate two additional adults to be a caregiver.
- Allows a minor qualified patient to obtain medical cannabis from designated school personnel.
- Allows caregivers of students who are qualifying medical cannabis patients to administer medical cannabis to a student on school property, during school – sponsored activities, and on a school bus.
- Exempts caregivers and school personnel from certain penalties related to the administration of cannabis
- Requires MSDE and the Commission to jointly develop guidelines for public schools regarding administration of medical cannabis to certain students during school hours and school-sponsored activities and on school busses, including:
  - Which school personnel are authorized to administer medical cannabis to a qualifying patient.
  - Locations where medical cannabis may be administered.
  - Security protocols for the possession, storage, and loss or theft of medical cannabis on school property.
  - A plan for administration that includes labeling, dosing, timing, and delivery route instructions as provided by the certifying provider’s written instructions.
- Permits nonpublic schools to adopt policies regarding the administration of medical cannabis to qualifying patient students during school hours and school-sponsored activities
- Requiring the Maryland Board of Nursing and the Commission, by December 31<sup>st</sup>, 2020,

to submit a legislative report concerning whether it is necessary to amend the Title 8 of the Health Occupations Article or any other State law to allow school nurses or other designated school personnel to administer medical cannabis to a student who is a qualifying patient.

**House Bill 870 – Natalie M. LaPrade Medical Cannabis Commission – Compassionate Use Fund – Revisions (The Fakiza Rahman Act)**

Sponsor: Delegate Pena - Melnyk, et al

Status: Passed Enrolled (Senate: 45- 0; House: 129 – 0)

Effective Date: October 1, 2020

- Requiring the Commission to establish a program to allow individuals enrolled in the Maryland Medical Assistance Program or the Veteran Affairs Maryland Health Care System to obtain medical cannabis at a reduced cost, including by:
  - Setting a fee structure to assess fees on licensed growers, processors, and dispensaries to provide funding for the reduced-cost cannabis through the Compassionate Use Fund.
  - Establishing a procedure to collect fees on licensed growers, processors, and dispensaries.
  - Reimbursing licensed dispensaries for the reduced-cost medical cannabis.
- Requiring the Commission to adopt regulations, taking into consideration certain factors, including:
  - Any impact § 280(e) of the Internal Revenue Code has on the fee structure.
  - Measures that may be implemented to identify and deter diversion of medical cannabis and medical cannabis products,
  - Methods for assisting licensed medical cannabis dispensaries in determining the eligibility of patients.

**Licensing Bills:** The following introduced bills would have altered the existing cap on grower and processor licenses – none of these bills passed.

**House Bill 1317/Senate Bill 953 – Medical Cannabis - Dispensary Grower – Processor Licenses**

- Introduced a new class of licenses categorized as a “dispensary grower-processor” license. The bill permitted any licensed dispensary to apply for a grower-processor license.

**House Bill 1369/Senate Bill 821 – Cannabis - Medical Cannabis Boutique Grower Licenses and Pesticides**

- Established a new boutique grower and processor license. The bill limited the number of boutique grower and processor licenses available to 10, and restricted facility size to under 30,000 square feet.

**House Bill 1449/SB 1012 – Medical Cannabis Reauthorization Act**

- Eliminated the existing grower and processor licensing cap for the medical cannabis market.