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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 - THE EDWARD O. HAWKINS AND THOMAS C.  
SLATER 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

1 one or more of the following: cachexia or wasting syndrome; severe, debilitating, chronic pain;  
2 severe nausea; seizures, including but not limited to, those characteristic of epilepsy; or severe  
3 and persistent muscle spasms, including but not limited to, those characteristic of multiple  
4 sclerosis or Crohn's disease; or agitation of Alzheimer's Disease; or

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

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

8 (5) "Immature marijuana plant" means a marijuana plant with no observable flowers or  
9 buds that is more than eight inches (8") tall and eight inches (8") wide.

10 ~~(5)~~(6) "Marijuana" has the meaning given that term in § 21-28-1.02(26).

11 ~~(6)~~(7) "Mature marijuana plant" means a marijuana plant that has flowers or buds that  
12 are readily observable by an unaided visual examination.

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

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

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

23 ~~(10)~~(11) "Qualifying patient" means a person who has been diagnosed by a practitioner  
24 as having a debilitating medical condition and is a resident of Rhode Island.

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

28 ~~(12)~~(13) "Seedling" means ~~a marijuana plant with no observable flowers or buds an~~  
29 unusable marijuana seedling plant that is no taller than eight inches (8") and no wider than eight  
30 inches (8") that is in a cultivating container and shall not count towards the plant limits in this  
31 chapter.

32 ~~(13)~~(14) "Unusable marijuana" means marijuana seeds, stalks, seedlings, and unusable  
33 roots.

34 ~~(14)~~(15) "Usable marijuana" means the dried leaves and flowers of the marijuana plant,

1 and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the  
2 plant.

3 ~~(15)~~(16) "Written certification" means the qualifying patient's medical records, and a  
4 statement signed by a practitioner, stating that in the practitioner's professional opinion, the  
5 potential benefits of the medical use of marijuana would likely outweigh the health risks for the  
6 qualifying patient. A written certification shall be made only in the course of a bona fide,  
7 practitioner-patient relationship after the practitioner has completed a full assessment of the  
8 qualifying patient's medical history. The written certification shall specify the qualifying patient's  
9 debilitating medical condition or conditions.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO FOOD AND DRUGS - THE EDWARD O. HAWKINS AND THOMAS C.  
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- 1           This act would provide a definition for an immature marijuana plant and update the
- 2 definition of seedling.
- 3           This act would take effect upon passage.

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