

MAINE STATE LEGISLATURE

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No. 770

H.P. 588

House of Representatives, February 13, 2007

An Act To Clarify Application of the Medical Marijuana Law

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HARLOW of Portland. (BY REQUEST)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2383-B, sub-§5, ¶A**, as enacted by IB 1999, c. 1, §10, is
3 amended to read:

4 A. Notwithstanding any other provision of law, a person who is at least 18 years of
5 age may lawfully possess a usable amount of marijuana for medical use if, at the time
6 of that possession, the person has available an authenticated copy of a medical record
7 or other written documentation from a physician, demonstrating that:

8 (1) The person has been diagnosed by a physician as suffering from one or more
9 of the following conditions:

10 (a) Persistent nausea, vomiting, wasting syndrome or loss of appetite as a
11 result of:

12 (i) Acquired immune deficiency syndrome or the treatment thereof; or

13 (ii) Chemotherapy or radiation therapy used to treat cancer;

14 (b) Heightened intraocular pressure as a result of glaucoma;

15 (c) Seizures associated with a chronic, debilitating disease, such as epilepsy;
16 ~~or~~

17 (d) Persistent muscle spasms associated with a chronic, debilitating disease,
18 such as multiple sclerosis or Crohn's disease; or

19 (e) Agitation from Alzheimer's disease;

20 (2) A physician, in the context of a bona fide physician-patient relationship with
21 the person:

22 (a) Has discussed with the person the possible health risks and therapeutic or
23 palliative benefits of the medical use of marijuana to relieve pain or alleviate
24 symptoms of the person's condition, based on information known to the
25 physician, including, but not limited to, clinical studies or anecdotal evidence
26 reported in medical literature or observations or information concerning the
27 use of marijuana by other patients with the same or similar conditions;

28 (b) Has provided the person with the physician's professional opinion
29 concerning the possible balance of risks and benefits of the medical use of
30 marijuana to relieve pain or alleviate symptoms in the person's particular
31 case; and

32 (c) Has advised the person, on the basis of the physician's knowledge of the
33 person's medical history and condition, that the person might benefit from the
34 medical use of marijuana to relieve pain or alleviate symptoms of the
35 person's condition;

36 (3) The person has disclosed to the physician that person's medical use of
37 marijuana; and

38 (4) The person is under the continuing care of the physician.

SUMMARY

1

2 This bill amends the medical marijuana law to extend it to cover persons suffering
3 from Crohn's disease and agitation from Alzheimer's disease.