

MAINE STATE LEGISLATURE

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ROY
ROFS

Date: 5/30/17 Majority

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 544, L.D. 764, Bill, "An Act To Prohibit the Exclusion of a Patient from Eligibility for an Organ Transplant Based on Medical Marijuana Use"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §2423-E, sub-§10 is enacted to read:

10. Receiving an anatomical gift. A transplant evaluator may not determine a qualifying patient to be unsuitable to receive an anatomical gift solely because the qualifying patient uses medical marijuana. In reviewing a qualifying patient's suitability for receiving an anatomical gift, a transplant evaluator shall treat the qualifying patient's medical use of marijuana as the equivalent of the authorized use of any other medications used at the direction of a medical provider. A transplant evaluator may determine a qualifying patient to be unsuitable to receive an anatomical gift if the qualifying patient does not limit the qualifying patient's medical use of marijuana to the use of forms of prepared marijuana that are not smoked or vaporized, including, but not limited to, edible marijuana and tinctures and salves of marijuana. A transplant evaluator may require medical marijuana used by a qualifying patient to be tested for fungal contamination by a marijuana testing facility. For purposes of this subsection, "transplant evaluator" means a person responsible for determining another person's suitability for receiving an anatomical gift. For the purposes of this subsection, "anatomical gift" has the same meaning as in section 2942, subsection 2.'

SUMMARY

This amendment is the majority report of the committee. It prohibits a transplant evaluator from determining a qualifying patient to be unsuitable to receive an anatomical gift because the qualifying patient uses medical marijuana. It directs a transplant evaluator to treat a qualifying patient's use of medical marijuana like any other medication a patient may be taking. It provides that a transplant evaluator may determine a qualifying patient to be unsuitable to receive an anatomical gift if the qualifying patient

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 544, L.D. 764

- 1 does not limit the type of medical marijuana used and may require the qualifying patient's
- 2 medical marijuana to be tested for fungal contamination at a marijuana testing facility.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 764

LR 467(02)

An Act To Prohibit the Exclusion of a Patient from Eligibility for an Organ Transplant Based on Medical Marijuana Use

Fiscal Note for Bill as Amended by Committee Amendment

A (H-328)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.