

**HOUSE . . . . . No. 2386**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Frank I. Smizik***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to medical marijuana pediatric patient protections.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>1/20/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Kate D. Campanale</i>	<i>17th Worcester</i>	
<i>Paul Tucker</i>	<i>7th Essex</i>	
<i>Mike Connolly</i>	<i>26th Middlesex</i>	

**HOUSE . . . . . No. 2386**

By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 2386) of Frank I. Smizik and others relative to medical marijuana pediatric patient protections. Marijuana Policy.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to medical marijuana pediatric patient protections.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 1. Chapter 369 of the Session Laws is hereby amended by inserting after Section  
2 2 is hereby amended by adding the following definition:-

3 “O. “Pediatric Patient” shall mean a qualifying patient under the age of 18 who has been  
4 diagnosed by a single licensed physician as having a debilitating medical condition.

5 Section 2. Chapter 369 of the Session Laws is hereby amended by inserting after section  
6 4 the following section:-

7 Section 4(C) Pediatric Patient & Caregiver Protections

8 Any action or proceeding by a child welfare agency or in a juvenile or family court  
9 against a custodial or non-custodial parent, grandparent, pregnant woman, legalguardian, or other  
10 person charged with the well-being of a child, taken solely or primarily in consideration of a  
11 person's patient or registered caregiver status or the presence of cannabinoid components or  
12 metabolites in a person's or qualifying pediatric patient’s bodily fluids.

13           Section 3. Chapter 369 of the Session Laws is hereby amended by inserting after section  
14 12 the following section:-

15           Section 12(A) Medical Marijuana for Qualifying Pediatric Patients

16           A qualifying patient who is a minor under 18 years of age and has been diagnosed with a  
17 debilitating medical condition by one licensed physician whom is a board-certified pediatrician  
18 or a board-certified pediatric subspecialist may receive a written certification, provided that the  
19 physician meets any registration, educational, or other requirements or regulations made by the  
20 Department or other agency, licensing board or other authority.