

**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.