HOUSE DOCKET, NO. 3358 FILED ON: 1/18/2013

HOUSE . . . . . No. 1917

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

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 passage of the accompanying:

An Act relative to the regulation and oversight of medical marijuana.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Nick Collins	*4th Suffolk*
James Arciero	*2nd Middlesex*
Christine E. Canavan	*10th Plymouth*
Gloria L. Fox	*7th Suffolk*
Randy Hunt	*5th Barnstable*
John F. Keenan	*Norfolk and Plymouth*
Kevin J. Kuros	*8th Worcester*
James M. Murphy	*4th Norfolk*
Cleon H. Turner	*1st Barnstable*
Martin J. Walsh	*13th Suffolk*
James J. Dwyer	*30th Middlesex*
Thomas M. Stanley	*9th Middlesex*

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HOUSE . . . . . No. 1917

By Mr. Collins of Boston, a petition (accompanied by bill, House, No. 1917) of Nick Collins and others relative to the regulation and oversight of medical marijuana. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the regulation and oversight of medical marijuana.

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

SECTION 1. Section 18 of Chapter 94C of the Massachusetts General Laws, as so appearing, is hereby amended by inserting after subsection (d ½) the following subsection:-

"(d1) A prescription for medical marijuana may also be issued by a physician who is licensed to practice medicine and registered in a contiguous state wherein he resides or practices, if required, and registered under federal law to write prescriptions. A licensed distributor filling a prescription under this subsection shall determine, in accordance with professional standards and personal judgment, that such prescription is authentic and valid and shall verify the prescription by telephonic or other means. A licensed distributor shall not fill a prescription for which a verification cannot be obtained. A licensed distributor shall not be liable for refusing to fill a prescription for which a verification cannot be obtained provided that documented good faith efforts were made to determine the authenticity and validity of such prescription. This subsection shall only apply to authorizations for the filling of prescriptions within the commonwealth, issued within the preceding 5 days, and shall not authorize such practitioner to possess, administer or dispense controlled substances as provided in section 9 or to practice medicine within the commonwealth. A prescription issued under this subsection shall be issued in the manner provided in section 22 and all relevant provisions of this chapter shall apply to any such practitioner and any such prescription. In the case of a prescription for medical marijuana filled pursuant to this subsection, a licensed distributor shall, within 30 days after filling such prescription, deliver to the department of public health a copy of each such medical marijuana prescription; provided, however, that such copy shall not include the name and address of the patient for whom the prescription was issued; and provided further, that such copy and the information contained therein shall not be a public record within the meaning of section 7 of

23 chapter 4 and shall be subject to the restrictions set forth in section 2 of chapter 66A. Nothing in
24 this section shall authorize a mail-order pharmacy."

25 SECTION 2. Section 24A of Chapter 94C of the Massachusetts General Laws is hereby
26 amended by inserting in Subsection (a)(1) after the phrase "an electronic system to monitor the
27 prescribing and dispensing of all schedule II to V, inclusive," the words "medical marijuana,".

28 SECTION 3. No less than one million dollars from any fees paid by licensed cultivators
29 and licensed distributors of medical marijuana to the Commonwealth of Massachusetts shall be
30 directed to the Executive Office of Safety and Security for the purposes of reinstating and
31 funding the Drug Diversion Unit of the Massachusetts State Police.