

Subject Medical cannabis program

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Overview

This bill makes several changes to the medical cannabis program operated by the commissioner of health, including: allowing medical cannabis manufacturers to purchase hemp for processing into medical cannabis; modifying enforcement authority of the commissioner of health; modifying the information listed on a patient's registry verification; making registration agreements nontransferable; increasing the amount of medical cannabis a manufacturer may distribute to a patient from a 30-day supply to a 90-day supply; increasing the number of distribution facilities in the state from four to eight; allowing a manufacturer to transfer cannabis to the other manufacturer for distribution; modifying requirements for registered designated caregivers; and allowing health care practitioners to assess patients via telemedicine to certify them as having a qualifying medical condition.

Summary

Section	Description
1	<p>Industrial hemp.</p> <p>Amends § 18K.02, subd. 3. Amends the definition of industrial hemp in the chapter that authorizes persons licensed by the commissioner of agriculture to grow industrial hemp for commercial purposes and authorizes the processing, selling, and buying of industrial hemp grown in Minnesota, to make that definition similar to the definition of hemp in federal law.</p>
2	<p>Agricultural crop; possession authorized.</p> <p>Amends § 18K.03. Allows a hemp grower licensed by the commissioner of agriculture to sell hemp to medical cannabis manufacturers.</p>
3	<p>Remedies available.</p> <p>Amends § 144.99. Allows the commissioner of health to enforce the medical cannabis sections (sections 152.22 to 152.37) using the tools and authority in the Health Enforcement Consolidation Act. (These provisions allow the commissioner to access information and property, list enforcement actions the commissioner may take, provide for contested case hearings, provide that a violation of a statute subject to enforcement</p>

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4	<p>under the act is a misdemeanor, and establish procedures for issuing administrative penalty orders.)</p> <p>Hemp. Adds § 152.22, subd. 5a. Defines hemp for purposes of the medical cannabis statutes, by referring to the definition of industrial hemp in chapter 18K.</p>
5	<p>Hemp grower. Adds § 152.22, subd. 5b. Defines hemp grower for purposes of the medical cannabis statutes.</p>
6	<p>Registered designated caregiver. Amends § 152.22, subd. 11. Amends the definition of registered designated caregiver, requiring a caregiver to be 18 or older rather than 21 or older as in current law and modifying the description of a patient’s disability that necessitates a designated caregiver.</p>
7	<p>Registry verification. Amends § 152.22, subd. 13. Amends the definition of registry verification, to provide that it does not list the patient’s qualifying medical condition.</p>
8	<p>Medical cannabis manufacturer registration. Amends § 152.25, subd. 1. Provides that a registration agreement between a medical cannabis manufacturer and the commissioner is not transferable.</p>
9	<p>Revocation or nonrenewal of a medical cannabis manufacturer registration. Amends § 152.25, subd. 1a. Makes a conforming change with the amendment to section 152.25, subdivision 1, which makes registration agreements not transferrable.</p>
10	<p>Reports. Amends § 152.25, subd. 4. Directs the commissioner to provide updates to certain legislative committees and to the task force on medical cannabis therapeutic research on (1) changes in federal law regarding the use of hemp, and (2) the market demand and supply for products made from hemp that can be used for medicinal purposes.</p>
11	<p>Commissioner duties. Amends § 152.27, subd. 2. In a subdivision that in part requires the commissioner to create a certification for health care practitioners to use to certify whether a patient with a qualifying medical condition needs a designated caregiver, modifies the description of a patient’s disability that necessitates a designated caregiver.</p>

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12	<p>Patient application.</p> <p>Amends § 152.27, subd. 3. In a subdivision establishing requirements for patients to apply for enrollment in the medical cannabis program, modifies the description of a patient’s disability that necessitates a designated caregiver.</p>
13	<p>Registered designated caregiver.</p> <p>Amends § 152.27, subd. 4. In a subdivision establishing procedures and requirements for designated caregivers to be registered under the medical cannabis program, requires a caregiver to be 18 or older rather than 21 or older as in current law; modifies the description of a patient’s disability that necessitates a designated caregiver; and provides that a registered designated caregiver may also be a patient enrolled in the registry program and may possess and use medical cannabis as a patient.</p>
14	<p>Patient enrollment.</p> <p>Amends § 152.27, subd. 6. Removes a patient’s qualifying medical condition from the information listed on the patient’s registry verification.</p>
15	<p>Health care practitioner duties.</p> <p>Amends § 152.28, subd. 1. Allows a health care practitioner to use telemedicine to conduct a patient assessment to issue a recertification that a patient has a qualifying medical condition. Also modifies the description of a patient’s disability that necessitates a designated caregiver.</p>
16	<p>Manufacturer; requirements.</p> <p>Amends § 152.29, subd. 1. Increases the number of medical cannabis distribution facilities that must be operated in the state from four to eight. Directs the commissioner to designate geographic service areas served by each manufacturer, and prohibits a manufacturer from having more than two distribution facilities located in each geographic service area. Allows a manufacturer to obtain hemp from a hemp grower, and process that hemp into an allowable form of medical cannabis. Provides that hemp is subject to quality control, security and testing, and other requirements that apply to medical cannabis plant material.</p>
17	<p>Manufacturer; production.</p> <p>Amends § 152.29, subd. 2. Requires hemp processing to take place in a secure setting, and allows a manufacturer to use hemp to provide a reliable, ongoing supply of medical cannabis. Requires hemp plant material to be processed into an allowable form of medical cannabis before it is distributed to patients.</p>
18	<p>Manufacturer; distribution.</p> <p>Amends § 152.29, subd. 3. Allows a manufacturer to transport medical cannabis or medical cannabis products to another manufacturer for the receiving manufacturer to</p>

Section	Description
	distribute. Allows a manufacturer to distribute up to a 90-day supply of medical cannabis, rather than a 30-day supply as in current law. Makes a conforming change.
19	Transportation of medical cannabis or hemp; staffing. Amends § 152.29, subd. 3a. Makes the staffing requirements for transporting medical cannabis also apply to transporting hemp.
20	Data practices. Amends § 152.31. Allows the commissioner to execute data sharing arrangements with the commissioner of agriculture to verify licensing, inspection, and compliance information related to hemp growers.
21	Intentional diversion; criminal penalty. Amends § 152.33, subd. 1. Specifies that transferring medical cannabis to another registered manufacturer does not subject a manufacturer to criminal penalties.
22	Health care facilities. Amends § 152.34. Allows hospice providers, supervised living facilities, and other health facilities regulated by the commissioner of health to adopt reasonable restrictions on the use of medical cannabis.
23	Impact assessment. Amends 152.36, subd. 2. Directs the task force on medical cannabis therapeutic research to evaluate the impact of using hemp and Minnesota's activities involving hemp.
24	Appropriation. Appropriates specified amounts in 2020 and 2021 from the state government special revenue fund to the commissioner of health for administration of the medical cannabis program.



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