

HB 2687 STAFF MEASURE SUMMARY

House Committee On Health Care

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Meeting Dates: 1/29

WHAT THE MEASURE DOES:

Prohibits hospitals and licensed health care professionals from removing an individual from a donor wait list based on a patient's medical use of marijuana.

REVENUE: No revenue impact.

FISCAL: No fiscal impact.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In recent years, states have legalized medical and recreational use of marijuana with use of the substance increasing over the past decade. In 1998, Oregon approved legalization of marijuana for medicinal use based on a set of qualifying medical conditions that resulted in a medical marijuana dispensary registry system in 2012. Then in 2014, residents of Oregon voted to legalize recreational use of marijuana which took effect in 2016. According to the Oregon Health Authority, as of July 2018, approximately 39,000 individuals had registered for a medical marijuana card after having received a statement written by a physician. The top five most reported qualifying medical conditions are severe pain, spasms, PTSD, nausea, and cancer.

As states legalized medical use of marijuana, health care entities, professionals, and donor registry organizations have worked to address issues around receipt and gifting of organ transplants. Key issues among patients that use marijuana include mandating abstinence prior to transplant listing, denying transplant listing for marijuana-using patients, and potential risks associated with marijuana use and organ transplantation. Several states have enacted laws to prohibit a health care provider from disqualifying an individual from organ transplant if the individual is authorized to use marijuana by a licensed health care professional, as the use of marijuana does not constitute the use of an illicit substance according to state law.

House Bill 2687 prohibits a hospital or health care professional from disqualifying an individual as suitable for organ transplant based on a patient's medical use of marijuana.