

HB 3369 -1, -2 STAFF MEASURE SUMMARY

House Committee On General Government

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/23, 4/1

WHAT THE MEASURE DOES:

Directs Department of Revenue to transfer moneys from the Oregon Marijuana Account to Oregon Health Authority for administration of the medical marijuana program. Authorizes physicians, nurse practitioners, and naturopathic physicians to provide medical endorsement required in cardholder application. Exempts medical marijuana grow sites producing marijuana for no more than 4 cardholders from tracking requirements. Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Authorizes licensed nurse to discuss medical use of marijuana with person with whom the nurse has a patient-provider relationship. Authorizes health care providers to issue written documentation required of registry cardholder applications. Defines “provider” as physician, physician assistant, nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, and naturopathic physician. Prohibits Oregon Board of Naturopathic Medicine, Oregon Medical Board, and Oregon State Board of Nursing from imposing civil penalties or taking disciplinary action on provider for advising on medical use of marijuana or issuing written documentation required of registry cardholder applications.

-2 Replaces the measure. Requires Oregon Health Authority to provide 10 days’ notice to person responsible for a registered medical marijuana grow site before conducting inspection of grow site.

BACKGROUND:

Oregon voters approved Ballot Measure 67 in 1998 allowing the medical use of marijuana in Oregon within specified limits. Cardholders may grow plants for themselves, designate a grower and grow site on their behalf, or purchase marijuana items from medical marijuana dispensaries or licensed recreational retail establishments. In 2014, Oregon voters enacted Ballot Measure 91, allowing the recreational use of marijuana for persons 21 years or older in Oregon. The Oregon Health Authority (OHA) administers the Oregon Medical Marijuana Program (OMMP) while the Oregon Liquor Control Commission (OLCC) administers and regulates the licensing for recreational marijuana producers, processors, wholesalers, and retailers and is responsible for developing and implementing the seed-to-sale tracking system known as the Cannabis Tracking System. In 2018, the Legislative Assembly made changes to the OMMP, including exempting two-person medical grow sites from the CTS. Growers who grow for three or more patients now track in CTS and are subject to inspection by OLCC.

Current law requires revenue from recreational marijuana sales in the state received by the Department of Revenue to be deposited in the State Treasury to pay expenses for the administration and enforcement of the recreational marijuana program. After the payment of administrative and enforcement expenses, the department is required to credit the balance to the Oregon Marijuana Account and transfer defined percentages to recipients such as cities in the state, the State School Fun, and the State Police Account.

House Bill 3369 directs the Department of Revenue to transfer moneys from the Oregon Marijuana Account to the Oregon Health Authority to support costs associated with administration of the medical marijuana program.

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The measure authorizes physicians, nurse practitioners, and naturopathic physicians to provide the medical endorsement required for cardholder applications, and exempts medical marijuana grow sites producing marijuana for no more than 4 cardholders from tracking requirements.

PRELIMINARY