

HB 4142 -1 STAFF MEASURE SUMMARY

House Committee On Health Care

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Meeting Dates: 2/10, 2/12

WHAT THE MEASURE DOES:

The measure expands the definition of “debilitating medical condition” for medical uses of marijuana. It requires specified care organizations to allow the medical use of marijuana on their premises and to develop policies and provide training. It also prohibits the Oregon State Board of Nursing (OSBN) from disciplining a nurse who discusses the medical use of marijuana with a patient. The measure becomes operative on January 1, 2027, and takes effect on the 91st day following adjournment sine die.

Detailed Summary:

- Requires hospice organizations, palliative and home health care organizations, and residential facilities to allow patients and residents to engage in the medical use of marijuana on their premises
- Requires specified organizations to create a written policy for the procurement, storage, administration, and disposal of marijuana, and to train their employees on the medical use of marijuana
- Exempts home health agencies, home hospice programs, hospitals, and hospital-affiliated clinics from requirements
- Adds the need for hospice, palliative care, comfort care, or comprehensive pain management to the definition of debilitating medical condition for statutes relating to medical use of marijuana
- Exempts residential facilities that provide a patient with medical marijuana from criminal laws related to the possession, delivery, or manufacture of marijuana
- Allows the Oregon Health Authority (OHA) to conditionally designate a residential facility as a caregiver for the purposes of providing medical marijuana
- Allows a conditionally designated residential facility to develop a written policy and train staff before the operative date

ISSUES DISCUSSED:

- Medical marijuana as an alternative to opioid pain medication while in hospice care.
- Hospice patients' ability to be alert with family members.
- Ryan Bartell and the Ryan's Law Foundation.

EFFECT OF AMENDMENT:

- Specifies who is considered a resident and establishes criteria for qualification to use medical marijuana.
- Clarifies language.

-1 Fiscal impact: Has minimal fiscal impact.

Revenue impact: Has minimal revenue impact.

BACKGROUND:

In 1998 Oregon voters passed Ballot Measure 67, the Oregon Medical Marijuana Act, permitting the cultivation, production, sales, and use of marijuana for medical purposes. To be eligible for the Oregon Medical Marijuana Program (OMMP), a person must have a qualifying debilitating condition that has been diagnosed by a qualified "attending provider." Current debilitating medical conditions include: cancer, HIV/AIDS, degenerative neurological conditions, glaucoma, post-traumatic stress disorder (PTSD), cachexia, severe pain, multiple sclerosis, and persistent muscle spasms. Qualified "attending providers" include medical doctors (MDs), naturopathic physicians, clinical nurse specialists, registered nurse anesthetists, physician associates (PAs), and nurse

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practitioners (NPs). According to the U.S. Centers for Disease Control and Prevention (CDC), as of February 2024, 47 states and the District of Columbia allow for the medical use of marijuana.

House Bill 3214 (2025) proposed similar provisions, but was not enacted.

House Bill 4142 expands the definition of “debilitating medical condition” for medical uses of marijuana and requires specified care organizations to allow the medical use of marijuana on their premises and to develop policies and provide related training. It prohibits the Oregon State Board of Nursing from disciplining a nurse who discusses the medical use of marijuana with a patient.