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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 17, L.D. 35, Bill, “An Act To Allow a Qualifying Patient To Use Medical Marijuana in a Hospital”

Amend the bill by striking out the title and substituting the following:

'An Act To Provide Legal Protection to Hospitals where Admitted Qualifying Patients Use Smokeless Forms of Medical Marijuana'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §2423-E, sub-§1-A is enacted to read:

1-A. Legal protection for hospitals. The immunity provisions in this subsection apply to a hospital licensed under chapter 405 and to officers, board members, agents and employees of the hospital. Any immunity provision within this chapter in conflict with this subsection does not apply to hospitals.

A. If the use of forms of prepared marijuana that are not smoked or vaporized, including, but not limited to, edible marijuana and tinctures and salves of marijuana, by admitted patients who have been certified under section 2423-B occurs in a hospital, that hospital is not subject to prosecution, search, seizure or penalty in any manner, including, but not limited to, a civil penalty or disciplinary action by an occupational or professional licensing board or entity, and may not be denied any license, certification, registration, right or privilege solely because the admitted patient lawfully engages in conduct involving the medical use of marijuana authorized under this chapter.

B. An officer, board member, agent or employee of a hospital where the use of forms of prepared marijuana that are not smoked or vaporized, including, but not limited to, edible marijuana and tinctures and salves of marijuana, by admitted patients who have been certified under section 2423-B occurs is not subject to arrest, prosecution, search, seizure or penalty in any manner, including, but not limited to, a civil penalty or disciplinary action by an occupational or professional licensing board or entity, and may not be denied any license, certification, registration, right or privilege solely

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1 because the admitted patient lawfully engages in conduct involving the medical use
2 of marijuana authorized under this chapter.'

3 **SUMMARY**

4 This amendment replaces the bill and changes the title. It provides legal protection to
5 hospitals and officers, board members, agents and employees of hospitals when the use of
6 smokeless forms of medical marijuana occurs in the hospital by admitted patients who are
7 certified to do so in accordance with the Maine Medical Use of Marijuana Act.