

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 0
Yeas:	Berger, Buckley, Esquivel, Hunt, Roblan, Thatcher, Rosenbaum
Nays:	-
Exc.:	-
Prepared By:	Jim Stembridge, Administrator
Meeting Dates:	5/16

WHAT THE MEASURE DOES: Updates provisions of the Oregon Medical Marijuana Act. Gives the Department of Human Services (DHS) authority to conduct criminal background checks on people responsible for grow sites and to deny or revoke a registry identification card based on a court order. Prohibits person convicted for manufacture or delivery of controlled substances from being issued marijuana grow site registration card. Requires program registrants to submit, annually, documentation that the use of marijuana mitigates their symptoms and to return registry cards if attending physician determines that treatment with marijuana is contraindicated. Grants immunity to employees and agents of DHS for activities within the scope of employment related to the medical marijuana program. Specifies that persons manufacturing or producing marijuana at a place other than an authorized grow site are not exempt from criminal charges. Restricts growers to growing for a maximum of four people concurrently. Requires registry cardholders and DHS to notify primary caregiver and persons responsible for grow site of changes in status. Adds agitation due to Alzheimer's disease as a debilitating medical condition.

ISSUES DISCUSSED:

- Experience from administration of the program
- Re-numbering of statutes in order to track specific crimes
- Convictions for activities that took place prior to January 1, 2006
- Provisions of HB 3299 (2007)
- Research needed on how the program is working
- Advisory committee discussions

EFFECT OF COMMITTEE AMENDMENT: Prohibits person convicted of manufacturing or delivering controlled substances from being issued marijuana grow site registration card. Deletes provision that "delivery" does not include transfer to a person responsible for a grow site.

BACKGROUND: Oregon voters passed Oregon Medical Marijuana Act initiative in 1998. The Act allows the medical use of marijuana to mitigate symptoms and effects of qualified debilitating medical conditions and protects medical marijuana users who comply with the program requirements from state criminal prosecution for production, possession, or delivery of marijuana. The Oregon Medical Marijuana Program (OMMP) is administered through the Public Health Division of the Department of Human Services (DHS). In order to participate in the program, an individual must have an established patient/physician relationship with an attending physician who provides written documentation that the individual has been diagnosed with a qualified condition and that the use of medical marijuana may mitigate the symptoms of that condition. There are currently over 15,000 registered cardholders and nearly 7,000 caregivers in the program.

Current statute authorizes DHS to add particular maladies to the definition of "debilitating medical condition" by rule; and "agitation due to Alzheimer's disease" is currently a debilitating medical condition in administrative rules. According to DHS, SB 161-B clarifies and/or corrects language to improve the efficiency of OMMP management.

5/25/2007 8:43:00 AM

This summary has not been adopted or officially endorsed by action of the committee.