

A-Engrossed
Senate Bill 1524

Ordered by the Senate February 12
Including Senate Amendments dated February 12

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Requires law enforcement unit to train public safety officers in veterans' issues.]

Exempts certain service-disabled veterans who are registry identification cardholders for purposes of medical use of marijuana from requirement to submit updated documentation of debilitating medical condition as part of application for renewal.

A BILL FOR AN ACT

1
2 Relating to veterans; amending ORS 475B.415.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 475B.415 is amended to read:

5 475B.415. (1) The Oregon Health Authority shall establish a program for the issuance of registry
6 identification cards to applicants who meet the requirements of this section.

7 (2) The authority shall issue a registry identification card to an applicant who is 18 years of age
8 or older if the applicant pays a fee in an amount established by the authority by rule and submits
9 to the authority an application containing the following information:

10 (a) Written documentation from the applicant's attending physician stating that the attending
11 physician has diagnosed the applicant as having a debilitating medical condition and that the med-
12 ical use of marijuana may mitigate the symptoms or effects of the applicant's debilitating medical
13 condition;

14 (b) The name, address and date of birth of the applicant;

15 (c) The name, address and telephone number of the applicant's attending physician;

16 (d) Proof of residency, as required by the authority by rule;

17 (e) The name and address of the applicant's designated primary caregiver, if the applicant is
18 designating a primary caregiver under ORS 475B.418; and

19 (f) The information described in ORS 475B.420 (2), if the applicant is applying to produce
20 marijuana or designate another person under ORS 475B.420 to produce marijuana.

21 (3)(a) The authority shall issue a registry identification card to an applicant who is under 18
22 years of age if:

23 (A) The applicant pays the fee and submits the application described in subsection (2) of this
24 section; and

25 (B) The custodial parent or legal guardian who is responsible for the health care decisions of
26 the applicant signs and submits to the authority a written statement that:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (i) The applicant's attending physician has explained to the applicant and to the custodial parent
2 or legal guardian the possible risks and benefits of the medical use of marijuana;

3 (ii) The custodial parent or legal guardian consents to the medical use of marijuana by the ap-
4 plicant;

5 (iii) The custodial parent or legal guardian agrees to serve as the applicant's designated primary
6 caregiver; and

7 (iv) The custodial parent or legal guardian agrees to control the acquisition, dosage and fre-
8 quency of the medical use of marijuana by the applicant.

9 (b) An applicant who is under 18 years of age may not apply to produce marijuana under sub-
10 section (2)(f) of this section.

11 (4) The authority shall approve or deny an application within 30 days after receiving the appli-
12 cation.

13 (5)(a) If the authority approves an application, the authority shall issue a serially numbered
14 registry identification card to the applicant within five days after approving the application. The
15 registry identification card must include the following information:

16 (A) The registry identification cardholder's name, address and date of birth;

17 (B) The issuance date and expiration date of the registry identification card;

18 (C) If the registry identification cardholder designated a primary caregiver under ORS 475B.418,
19 the name and address of the registry identification cardholder's designated primary caregiver; and

20 (D) Any other information required by the authority by rule.

21 (b) If the registry identification cardholder designated a primary caregiver under ORS 475B.418,
22 the authority shall issue an identification card to the designated primary caregiver. The identifica-
23 tion card must contain the information required by paragraph (a) of this subsection.

24 (6) A registry identification cardholder shall:

25 (a) In a form and manner prescribed by the authority, notify the authority of any change con-
26 cerning the registry identification cardholder's:

27 (A) Name, address or attending physician;

28 (B) Designated primary caregiver, including the designation of a primary caregiver made at a
29 time other than at the time of applying for or renewing a registry identification card; or

30 (C) Person responsible for a marijuana grow site, including the designation of a person respon-
31 sible for a marijuana grow site made at a time other than at the time of applying for or renewing
32 a registry identification card.

33 (b) Annually renew the registry identification card by paying a fee in an amount established by
34 the authority by rule and submitting to the authority an application that contains the following in-
35 formation:

36 (A) Updated written documentation from the registry identification cardholder's attending phy-
37 sician stating that the registry identification cardholder still has a debilitating medical condition
38 and that the medical use of marijuana may mitigate the symptoms or effects of the registry iden-
39 tification cardholder's debilitating medical condition;

40 (B) The information described in subsection (2)(b) to (f) of this section; and

41 (C) If the registry identification cardholder is under 18 years of age, a statement signed by the
42 custodial parent or legal guardian of the registry identification cardholder that meets the require-
43 ments of subsection (3) of this section.

44 (7)(a) If the registry identification cardholder's attending physician determines that the registry
45 identification cardholder no longer has a debilitating medical condition or determines that the

1 medical use of marijuana is contraindicated for the registry identification cardholder's debilitating
2 medical condition, the registry identification cardholder shall return the registry identification card
3 to the authority within 30 calendar days after receiving notice of the determination.

4 (b) If, because of circumstances beyond the control of the registry identification cardholder, a
5 registry identification cardholder is unable to obtain a second medical opinion about the registry
6 identification cardholder's continuing eligibility for the medical use of marijuana before having to
7 return the registry identification card to the authority, the authority may grant the registry iden-
8 tification cardholder additional time to obtain a second medical opinion.

9 (8)(a) The authority may deny an application for a registry identification card or an application
10 to renew a registry identification card, or may suspend or revoke a registry identification card, if:

11 (A) The applicant or registry identification cardholder does not provide the information required
12 by this section;

13 (B) The authority determines that the applicant or registry identification cardholder provided
14 false information; or

15 (C) The authority determines that the applicant or registry identification cardholder violated a
16 provision of ORS 475B.400 to 475B.525 or a rule adopted under ORS 475B.400 to 475B.525.

17 (b) If a registry identification card is revoked, any associated identification card issued under
18 subsection (5)(b) of this section, or marijuana grow site registration card issued under ORS 475B.420
19 (6), shall also be revoked.

20 (c) A person whose application is denied, or whose registry identification card is revoked, under
21 this subsection may not reapply for a registry identification card for six months from the date of the
22 denial or revocation unless otherwise authorized by the authority.

23 (9)(a) The authority may deny a designation of a primary caregiver made under ORS 475B.418,
24 or suspend or revoke an associated identification card issued under subsection (5)(b) of this section,
25 if the authority determines that the designee or the registry identification cardholder violated a
26 provision of ORS 475B.400 to 475B.525 or a rule adopted under ORS 475B.400 to 475B.525.

27 (b) A person whose designation has been denied, or whose identification card has been revoked,
28 under this subsection may not be designated as a primary caregiver under ORS 475B.418 for six
29 months from the date of the denial or revocation unless otherwise authorized by the authority.

30 (10)(a) Notwithstanding subsection (2) or (6)(b) of this section, if an applicant for a registry
31 identification card, or a registry identification cardholder applying for renewal of a registry iden-
32 tification card, submits to the authority proof of having served in the Armed Forces of the United
33 States and of having been diagnosed with post-traumatic stress disorder, the authority may not im-
34 pose a fee that is greater than \$20 for the issuance or renewal of the registry identification card.

35 **(b) Notwithstanding subsection (6)(b)(A) of this section, the requirement that a registry**
36 **identification cardholder include in the application to renew a registry identification card**
37 **updated written documentation from the cardholder's attending physician regarding the**
38 **cardholder's continuing debilitating medical condition does not apply to a service-disabled**
39 **veteran who:**

40 **(A) Has been assigned a total and permanent disability rating for compensation that**
41 **rates the veteran as unable to secure or follow a substantially gainful occupation as a result**
42 **of service-connected disabilities as described in 38 C.F.R. 4.16; or**

43 **(B) Has a United States Department of Veterans Affairs total disability rating of 100**
44 **percent as a result of an injury or illness that the veteran incurred, or that was aggravated,**
45 **during active military service and who received a discharge or release under other than**

1 **dishonorable conditions.**

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