

SENATE AMENDMENTS TO SENATE BILL 1524

By COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

February 12

1 In line 2 of the printed bill, before the period insert “; amending ORS 475B.415”.
2 Delete lines 4 through 8 and insert:
3 “**SECTION 1.** ORS 475B.415 is amended to read:
4 “475B.415. (1) The Oregon Health Authority shall establish a program for the issuance of regis-
5 try identification cards to applicants who meet the requirements of this section.
6 “(2) The authority shall issue a registry identification card to an applicant who is 18 years of
7 age or older if the applicant pays a fee in an amount established by the authority by rule and sub-
8 mits to the authority an application containing the following information:
9 “(a) Written documentation from the applicant’s attending physician stating that the attending
10 physician has diagnosed the applicant as having a debilitating medical condition and that the med-
11 ical use of marijuana may mitigate the symptoms or effects of the applicant’s debilitating medical
12 condition;
13 “(b) The name, address and date of birth of the applicant;
14 “(c) The name, address and telephone number of the applicant’s attending physician;
15 “(d) Proof of residency, as required by the authority by rule;
16 “(e) The name and address of the applicant’s designated primary caregiver, if the applicant is
17 designating a primary caregiver under ORS 475B.418; and
18 “(f) The information described in ORS 475B.420 (2), if the applicant is applying to produce
19 marijuana or designate another person under ORS 475B.420 to produce marijuana.
20 “(3)(a) The authority shall issue a registry identification card to an applicant who is under 18
21 years of age if:
22 “(A) The applicant pays the fee and submits the application described in subsection (2) of this
23 section; and
24 “(B) The custodial parent or legal guardian who is responsible for the health care decisions of
25 the applicant signs and submits to the authority a written statement that:
26 “(i) The applicant’s attending physician has explained to the applicant and to the custodial
27 parent or legal guardian the possible risks and benefits of the medical use of marijuana;
28 “(ii) The custodial parent or legal guardian consents to the medical use of marijuana by the
29 applicant;
30 “(iii) The custodial parent or legal guardian agrees to serve as the applicant’s designated pri-
31 mary caregiver; and
32 “(iv) The custodial parent or legal guardian agrees to control the acquisition, dosage and fre-
33 quency of the medical use of marijuana by the applicant.
34 “(b) An applicant who is under 18 years of age may not apply to produce marijuana under sub-
35 section (2)(f) of this section.

1 “(4) The authority shall approve or deny an application within 30 days after receiving the ap-
2 plication.

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

6 “(A) The registry identification cardholder’s name, address and date of birth;

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

8 “(C) If the registry identification cardholder designated a primary caregiver under ORS
9 475B.418, the name and address of the registry identification cardholder’s designated primary
10 caregiver; and

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

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

15 “(6) A registry identification cardholder shall:

16 “(a) In a form and manner prescribed by the authority, notify the authority of any change con-
17 cerning the registry identification cardholder’s:

18 “(A) Name, address or attending physician;

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

21 “(C) Person responsible for a marijuana grow site, including the designation of a person re-
22 sponsible for a marijuana grow site made at a time other than at the time of applying for or re-
23 newing a registry identification card.

24 “(b) Annually renew the registry identification card by paying a fee in an amount established
25 by the authority by rule and submitting to the authority an application that contains the following
26 information:

27 “(A) Updated written documentation from the registry identification cardholder’s attending
28 physician stating that the registry identification cardholder still has a debilitating medical condition
29 and that the medical use of marijuana may mitigate the symptoms or effects of the registry iden-
30 tification cardholder’s debilitating medical condition;

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

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

35 “(7)(a) If the registry identification cardholder’s attending physician determines that the registry
36 identification cardholder no longer has a debilitating medical condition or determines that the
37 medical use of marijuana is contraindicated for the registry identification cardholder’s debilitating
38 medical condition, the registry identification cardholder shall return the registry identification card
39 to the authority within 30 calendar days after receiving notice of the determination.

40 “(b) If, because of circumstances beyond the control of the registry identification cardholder, a
41 registry identification cardholder is unable to obtain a second medical opinion about the registry
42 identification cardholder’s continuing eligibility for the medical use of marijuana before having to
43 return the registry identification card to the authority, the authority may grant the registry iden-
44 tification cardholder additional time to obtain a second medical opinion.

45 “(8)(a) The authority may deny an application for a registry identification card or an application

1 to renew a registry identification card, or may suspend or revoke a registry identification card, if:

2 “(A) The applicant or registry identification cardholder does not provide the information re-
3 quired by this section;

4 “(B) The authority determines that the applicant or registry identification cardholder provided
5 false information; or

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

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

11 “(c) A person whose application is denied, or whose registry identification card is revoked, un-
12 der this subsection may not reapply for a registry identification card for six months from the date
13 of the denial or revocation unless otherwise authorized by the authority.

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

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

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

26 “(b) **Notwithstanding subsection (6)(b)(A) of this section, the requirement that a registry
27 identification cardholder include in the application to renew a registry identification card
28 updated written documentation from the cardholder’s attending physician regarding the
29 cardholder’s continuing debilitating medical condition does not apply to a service-disabled
30 veteran who:**

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

34 “(B) **Has a United States Department of Veterans Affairs total disability rating of 100
35 percent as a result of an injury or illness that the veteran incurred, or that was aggravated,
36 during active military service and who received a discharge or release under other than
37 dishonorable conditions.”.**