

# HB 2687

## Anatomical Gift Recipient Bill

Amending ORS 97.972

## **Cannabis must be treated as medicine.**

**475B.785 Findings.** The people of the State of Oregon find that:

(1) Patients and doctors have found marijuana to be an effective treatment for suffering caused by debilitating medical conditions and, therefore, marijuana must be treated like other medicines;

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**ORS 97.972(4)(b)** A transplant hospital may not deny a recipient from receiving an anatomical gift exclusively on the basis that the recipient is a registry identification cardholder as defined in ORS 475B.791.

### **Washington State - Suitability for organ transplant**

A qualifying patient's medical use of cannabis as authorized by a health care professional may not be a sole disqualifying factor in determining the patient's suitability for an organ transplant, unless it is shown that this use poses a significant risk of rejection or organ failure. This section does not preclude a health care professional from requiring that a patient abstain from the medical use of cannabis, for a period of time determined by the health care professional, while waiting for a transplant organ or before the patient undergoes an organ transplant.

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### Suggested Language, California

A hospital, physician and surgeon, procurement organization, or other person shall be prohibited from determining the ultimate recipient of an anatomical gift based solely upon a potential recipient's status as a qualified patient, as specified, or based solely upon a positive test for the use of medical marijuana by a potential recipient who is a qualified patient, except to the extent that the qualified patient's use of medical marijuana has been found by a physician and surgeon, following a case-by-case evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift.

### New Hampshire.

“For the purposes of medical care, including organ transplants, a qualifying patient's authorized use of cannabis in accordance with this chapter shall be considered the equivalent of the authorized use of any other medication used at the direction of a provider, and shall not constitute the use of an illicit substance.”