

**HOUSE . . . . . No. 1917**

The Commonwealth of Massachusetts

PRESENTED BY:

*Nick Collins*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the regulation and oversight of medical marijuana.

PETITION OF:

| NAME:                       | DISTRICT/ADDRESS:           |
|-----------------------------|-----------------------------|
| <i>Nick Collins</i>         | <i>4th Suffolk</i>          |
| <i>James Arciero</i>        | <i>2nd Middlesex</i>        |
| <i>Christine E. Canavan</i> | <i>10th Plymouth</i>        |
| <i>Gloria L. Fox</i>        | <i>7th Suffolk</i>          |
| <i>Randy Hunt</i>           | <i>5th Barnstable</i>       |
| <i>John F. Keenan</i>       | <i>Norfolk and Plymouth</i> |
| <i>Kevin J. Kuros</i>       | <i>8th Worcester</i>        |
| <i>James M. Murphy</i>      | <i>4th Norfolk</i>          |
| <i>Cleon H. Turner</i>      | <i>1st Barnstable</i>       |
| <i>Martin J. Walsh</i>      | <i>13th Suffolk</i>         |
| <i>James J. Dwyer</i>       | <i>30th Middlesex</i>       |
| <i>Thomas M. Stanley</i>    | <i>9th Middlesex</i>        |

**HOUSE . . . . . No. 1917**

By Mr. Collins of Boston, a petition (accompanied by bill, House, No. 1917) of Nick Collins and others relative to the regulation and oversight of medical marijuana. Public Health.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to the regulation and oversight of medical marijuana.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 18 of Chapter 94C of the Massachusetts General Laws, as so  
2 appearing, is hereby amended by inserting after subsection (d 1/2) the following subsection:-

3 “(d1) A prescription for medical marijuana may also be issued by a physician who is  
4 licensed to practice medicine and registered in a contiguous state wherein he resides or practices,  
5 if required, and registered under federal law to write prescriptions. A licensed distributor filling a  
6 prescription under this subsection shall determine, in accordance with professional standards and  
7 personal judgment, that such prescription is authentic and valid and shall verify the prescription  
8 by telephonic or other means. A licensed distributor shall not fill a prescription for which a  
9 verification cannot be obtained. A licensed distributor shall not be liable for refusing to fill a  
10 prescription for which a verification cannot be obtained provided that documented good faith  
11 efforts were made to determine the authenticity and validity of such prescription. This subsection  
12 shall only apply to authorizations for the filling of prescriptions within the commonwealth,  
13 issued within the preceding 5 days, and shall not authorize such practitioner to possess,  
14 administer or dispense controlled substances as provided in section 9 or to practice medicine  
15 within the commonwealth. A prescription issued under this subsection shall be issued in the  
16 manner provided in section 22 and all relevant provisions of this chapter shall apply to any such  
17 practitioner and any such prescription. In the case of a prescription for medical marijuana filled  
18 pursuant to this subsection, a licensed distributor shall, within 30 days after filling such  
19 prescription, deliver to the department of public health a copy of each such medical marijuana  
20 prescription; provided, however, that such copy shall not include the name and address of the  
21 patient for whom the prescription was issued; and provided further, that such copy and the  
22 information contained therein shall not be a public record within the meaning of section 7 of

23 chapter 4 and shall be subject to the restrictions set forth in section 2 of chapter 66A. Nothing in  
24 this section shall authorize a mail-order pharmacy.”

25 SECTION 2. Section 24A of Chapter 94C of the Massachusetts General Laws is hereby  
26 amended by inserting in Subsection (a)(1) after the phrase “an electronic system to monitor the  
27 prescribing and dispensing of all schedule II to V, inclusive,” the words “medical marijuana.”

28 SECTION 3. No less than one million dollars from any fees paid by licensed cultivators  
29 and licensed distributors of medical marijuana to the Commonwealth of Massachusetts shall be  
30 directed to the Executive Office of Safety and Security for the purposes of reinstating and  
31 funding the Drug Diversion Unit of the Massachusetts State Police.