

118TH CONGRESS  
1ST SESSION

# H. R. 394

To prohibit the Secretary of Veterans Affairs from denying a veteran benefits administered by the Secretary by reason of the veteran participating in a State-approved marijuana program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2023

Mr. STEUBE introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To prohibit the Secretary of Veterans Affairs from denying a veteran benefits administered by the Secretary by reason of the veteran participating in a State-approved marijuana program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Cannabis Use  
5 for Safe Healing Act”.

1 **SEC. 2. VETERAN PARTICIPATION IN STATE-APPROVED**  
2 **MARIJUANA PROGRAMS.**

3 (a) **PROVISION OF BENEFITS.**—Notwithstanding any  
4 other provision of law, the Secretary of Veterans Affairs  
5 may not deny a veteran any benefit under the laws admin-  
6 istered by the Secretary by reason of the veteran partici-  
7 pating in a State-approved marijuana program.

8 (b) **CONSULTATION.**—With respect to a veteran who  
9 is enrolled in the system of patient enrollment under sec-  
10 tion 1705 of title 38, United States Code, and participates  
11 in a State-approved marijuana program, the Secretary  
12 shall ensure that physicians and other health care pro-  
13 viders of the Veterans Health Administration—

14 (1) discuss marijuana use with the veteran and  
15 adjust medical treatment plans accordingly; and

16 (2) record such use in the medical records of  
17 the veteran.

18 (c) **PROVISION OF INFORMATION.**—Notwithstanding  
19 any other provision of law, the Secretary shall authorize  
20 physicians and other health care providers of the Veterans  
21 Health Administration of the Department of Veterans Af-  
22 fairs to provide recommendations and opinions to veterans  
23 who are residents of States with State-approved marijuana  
24 programs regarding the participation of veterans in such  
25 programs.

26 (d) **DEFINITIONS.**—In this section:

1           (1) The term “marijuana” has the meaning  
2           given the term “marihuana” in section 102 of the  
3           Controlled Substances Act (21 U.S.C. 802).

4           (2) The term “State” has the meaning given  
5           that term in section 101 of title 38, United States  
6           Code.

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