STATE OF NEW YORK

8820

IN SENATE

May 22, 2018

Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to conditions permitting the use of medical marihuana

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph (i) of paragraph (a) of subdivision 7 of section 3360 of the public health law, as amended by chapter 403 of the laws of 2017, is amended to read as follows:

(i) having one of the following severe debilitating or life-threatening conditions: cancer, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, inflammatory bowel disease, neuropathies, Huntington's disease, post-traumatic stress disorder, **as a substitute for opioids for conditions expected to last less than three months, provided that the medical record must contain a written treatment plan that follows generally accepted national professional or governmental guidelines, except that the following of such a written treatment plan shall not apply in the case of patients who are being treated for cancer that is not in remission, who are in hospice or other end-of-life care, or whose pain is being treated as part of palliative care practices,** or as added by the commissioner; and

§ 2. This act shall take effect immediately; provided that the amendments to title 5-A of article 33 of the public health law made by section one of this act shall not affect the repeal of such title and shall be deemed repealed therewith.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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