STATE OF NEW YORK

4276

2017-2018 Regular Sessions

IN ASSEMBLY

February 2, 2017

Introduced by M. of A. GOTTFRIED, LUPARDO, DINOWITZ, PAULIN, HEVESI, BLAKE, BRINDISI, COOK, ORTIZ, JENNE, SEPULVEDA, SIMON, SKARTADOS, SKOUFIS, ZEBROWSKI, McDONALD -- read once and referred to the Committee on Health

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

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

Section 1. Subdivision 15 of section 3360 of the public health law, as added by chapter 90 of the laws of 2014, is amended to read as follows:

15. "Individual dose" means a single measure of raw medical marihuana or non-infused concentrates to be determined and clearly identified by a patient's practitioner for the patient's specific certified condition. [~~For ingestible or sub-lingual medical marihuana products, no individual dose may contain more than ten milligrams of tetrahydrocannabinol.~~]

§ 2. Subdivision 7 of section 3360 of the public health law, as added by chapter 90 of the laws of 2014, is amended to read as follows:

7. [~~(a)~~] "Serious condition" means:

(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, **Alzheimer's disease, traumatic brain injury, dystonia,** Parkinson's disease, multiple sclerosis, **muscular dystrophy,** damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, **wasting syndrome, post traumatic stress disorder, rheumatoid arthritis, lupus,** inflammatory bowel disease, neuropathies, Huntington's disease, or as added by the commissioner; [~~and~~] **or**

(ii) any of the following conditions where it is clinically associated with, or a complication of, a condition under this paragraph or its treatment: cachexia or wasting syndrome; severe or chronic pain; severe

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

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nausea; seizures; severe or persistent muscle spasms; or such conditions as are added by the commissioner.

[~~(b) No later than eighteen months from the effective date of this section, the commissioner shall determine whether to add the following serious conditions: Alzheimer's, muscular dystrophy, dystonia, post-traumatic stress disorder and rheumatoid arthritis.~~]

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