

# STATE OF NEW YORK

7006

2017-2018 Regular Sessions

## IN ASSEMBLY

March 29, 2017

Introduced by M. of A. GOTTFRIED, KEARNS, ZEBROWSKI, ORTIZ, MOSLEY, LAVINE, HUNTER, COOK, HEVESI, D'URSO, SKOUFIS, SIMON, GLICK, McDONALD, M. L. MILLER, SEPULVEDA, WALTER, PEOPLES-STOKES, HOOPER, GALEF, RICHARDSON, MOYA, CARROLL, BLAKE, LUPARDO, BRINDISI -- Multi-Sponsored by -- M. of A. CAHILL, DINOWITZ, FARRELL, LENTOL, McDONOUGH, McLAUGHLIN, MORINELLO, ROZIC -- read once and referred 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:

1 Section 1. Paragraph (a) of subdivision 7 of section 3360 of the  
2 public health law, as added by chapter 90 of the laws of 2014, is  
3 amended to read as follows:  
4 (a) "Serious condition" means:  
5 (i) having one of the following severe debilitating or life-threaten-  
6 ing conditions: cancer, positive status for human immunodeficiency virus  
7 or acquired immune deficiency syndrome, amyotrophic lateral sclerosis,  
8 Parkinson's disease, multiple sclerosis, damage to the nervous tissue of  
9 the spinal cord with objective neurological indication of intractable  
10 spasticity, epilepsy, inflammatory bowel disease, neuropathies,  
11 Huntington's disease, post-traumatic stress disorder, or as added by the  
12 commissioner; and  
13 (ii) any of the following conditions where it is clinically associated  
14 with, or a complication of, a condition under this paragraph or its  
15 treatment: cachexia or wasting syndrome; severe or chronic pain; severe  
16 nausea; seizures; severe or persistent muscle spasms; or such conditions  
17 as are added by the commissioner.  
18 § 2. This act shall take effect immediately; provided that the amend-  
19 ments to title 5-A of article 33 of the public health law made by  
20 section one of this act shall not affect the repeal of such title and  
21 shall be deemed repealed therewith.

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

LBD10804-01-7