

# STATE OF NEW YORK

8987

## IN SENATE

June 11, 2018

Introduced by Sens. AMEDORE, HANNON -- read twice and ordered printed,  
and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to allowing for the  
use of medical marihuana as an alternative to opioids for pain manage-  
ment

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

1 Section 1. Paragraph (a) of subdivision 7 of section 3360 of the  
2 public health law, as amended by chapter 403 of the laws of 2017, 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, pain that degrades  
12 health and functional capability where the use of medical marihuana is  
13 an alternative to opioid use, or as added by the commissioner; and

14 (ii) any of the following conditions where it is clinically associated  
15 with, or a complication of, a condition under this paragraph or its  
16 treatment: cachexia or wasting syndrome; severe or chronic pain; severe  
17 nausea; seizures; severe or persistent muscle spasms; or such conditions  
18 as are added by the commissioner.

19 § 2. This act shall take effect immediately; provided, however, that  
20 the amendments to section 3360 of the public health law, made by section  
21 one of this act, shall not affect the repeal of such section and shall  
22 be deemed repealed therewith.

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

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