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DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE BILL NO. 7

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE MEDICAL MARIJUANA ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 4922A, Title 16 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4922A. ~~Annual reports.~~ Oversight committee; annual report by Department.

4 ~~(a)(1) The legislature shall appoint a 9 member oversight committee comprised of: 1 member of the House of~~
5 ~~Representatives; 1 representative of the Department; 1 member of the Senate; 1 physician with experience in medical~~
6 ~~marijuana issues; 1 nurse; 1 board member or principal officer of a registered safety compliance facility; 1 individual with~~
7 ~~experience in policy development or implementation in the field of medical marijuana; and 3 registered patients.~~

8 (a) The Medical Marijuana Act Oversight Committee is established to evaluate and make recommendations
9 regarding the implementation of this chapter.

10 (1) The Oversight Committee shall consist of 7 members who possess the qualifications and are appointed as
11 follows:

12 a. One member, appointed by the President *Pro Tempore* of the Senate.

13 b. One member, appointed by the Speaker of the House.

14 c. The Secretary of the Department, or the Secretary's designee.

15 d. One medical professional, licensed in Delaware, with experience in medical marijuana issues,
16 appointed by the Governor.

17 e. One representative of a registered compassion center, appointed by the Governor.

18 f. One representative of a registered safety compliance facility, appointed by the Governor.

19 g. One member who shall be a cardholder as defined in § 4902A of this title, appointed by the Governor.

20 (2) The members of the Oversight Committee shall serve at the pleasure of the appointing authority.

21 (3) A quorum shall consist of 50% of the membership of the Oversight Committee.

22 (4) The Oversight Committee shall select a Chair and Vice Chair from among its members.

23 (5) Staff support for the Oversight Committee shall be provided by the Office of the Secretary of the
24 Department.

25 ~~(2) (6) The oversight committee~~ Oversight Committee shall meet at least 2 times per year for the purpose of
26 evaluating and making recommendations to ~~the legislature and the Department~~ the Governor, the General Assembly,
27 and the Department regarding the following:

28 a. The ability of qualifying patients in all areas of the State to obtain timely access to high-quality medical
29 marijuana.

30 b. The effectiveness of the registered compassion centers, individually and together, in serving the needs
31 of qualifying patients, including the provision of educational and support services, the reasonableness of their fees,
32 whether they are generating any complaints or security problems, and the sufficiency of the number operating to
33 serve the registered qualifying patients of Delaware.

34 c. The effectiveness of the registered safety compliance facility or facilities, including whether a
35 sufficient number are operating.

36 d. The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the
37 Department to ensure that access to and use of marijuana cultivated is provided only to cardholders authorized for
38 such purposes.

39 e. Any recommended additions or revisions to the Department regulations or this chapter, including
40 relating to security, safe handling, labeling, and nomenclature.

41 f. Any research studies regarding health effects of medical marijuana for patients.

42 (b) The Department shall submit to ~~the legislature~~ the Governor and the General Assembly an annual report that
43 does not disclose any identifying information about cardholders, registered compassion centers, or physicians, but does
44 contain, at a minimum, all of the following information:

45 (1) The number of applications and renewals filed for registry identification ~~cards;~~ cards.

46 (2) The number of qualifying patients and designated caregivers approved in each ~~county;~~ county.

47 (3) The nature of the debilitating medical conditions of the qualifying ~~patients;~~ patients.

48 (4) The number of registry identification cards revoked for ~~misconduct;~~ misconduct.

49 (5) The number of physicians providing written certifications for qualifying ~~patients;~~ patients.

50 (6) The number of registered compassion ~~centers, and~~ centers.

51 (7) Specific accounting of fees and costs.

52 Section 2. The Secretary of the Department, or the Secretary's designee, shall serve as temporary Chair pending
53 the Oversight Committee's selection of a Chair under § 4922A(a)(4) of Title 16. The Secretary of the Department, or the
54 Secretary's designee, shall set the date, time, and place for the initial organizational meeting of the Oversight Committee.

SYNOPSIS

This Act clarifies the appointment process for and internal operations of the Medical Marijuana Act Oversight Committee.

Author: Sen. Henry