

CHAPTER 95
FORMERLY
HOUSE BILL NO. 210

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:

Section 1. Amend § 4909A, Title 16 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 4909A. Issuance of registry identification cards.

(a) Except as provided in subsection (b) of this section, the Department shall:

(1) Verify the information contained in an application or renewal submitted pursuant to this chapter, and shall approve or deny an application or renewal within 45 days of receiving a completed application or renewal application.

(2) Issue registry identification cards to a qualifying patient and his or her designated caregiver, if any, within 30 days of approving the application or renewal. A designated caregiver must have a registry identification card for each of his or her qualifying patients.

(3) Enter the registry identification number of the registered compassion center the patient designates into the verification system.

(b) The Department shall not issue a registry identification card to a qualifying patient who is younger than 18 years of age, except as follows:

(1) The qualifying patient has any of the following related to a terminal illness:

- a. Pain;
- b. Anxiety;
- c. Depression;

(2) The qualifying patient has intractable epilepsy or seizure disorder; ~~or~~

(3) The qualifying patient has a chronic or debilitating disease or medical condition where the patient has failed treatment involving 1 or more of the following symptoms: cachexia or wasting syndrome; intractable nausea; severe, painful and persistent muscle spasms; or

(4) Any other medical condition or its treatment added by the Department, as provided for in § 4906A of this title.

~~(4)(c)~~ A qualifying patient who is younger than 18 years of age may only receive marijuana oil.

Section 2. This shall be known as Jonathan Mitchell's law.

Approved July 21, 2017