SPONSOR: Rep. Minor-Brown & Rep. Schwartzkopf &
Sen. McBride & Sen. Lopez
Reps. Baumbach, Bolden, Brady, Carson, Chukwuocha, Griffith, Jaques, K. Johnson, Kowalko, Postles, Ramone, Seigfried, D. Short, Shupe, Spiegelman, K. Williams

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 141
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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

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

Section 1. Amend Chapter 49A, Title 16 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 4902A Definitions.

In this chapter, unless the context otherwise requires, the following definitions shall apply:

(3) "Debilitating medical condition" means 1 or more of the following:

a. Terminal illness, cancer, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, decompensated cirrhosis, amyotrophic lateral sclerosis, agitation of Alzheimer's disease, post-traumatic stress disorder, intractable epilepsy, seizure disorder, glaucoma, chronic debilitating migraines, <u>new daily persistent headache,</u> or the treatment of these conditions.

b. A chronic or debilitating disease or medical condition or its treatment that produces 1 or more of the following: cachexia or wasting syndrome; severe, debilitating pain that has not responded to previously prescribed medication or surgical measures for more than 3 months or for which other treatment options produced serious side effects; intractable nausea; seizures; severe and persistent muscle spasms, including those characteristic of multiple sclerosis.

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

§ 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.

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(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;

(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; <u>chronic debilitating migraines and new daily persistent headache that are refractory to conventional treatment and interventions;</u> or

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

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

Section 2. This Act shall be known as “Mia’s Law.”

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