SPONSOR: Sen. Henry & Rep. Baumbach & Rep. Keeley
Sen. Townsend; Reps. Bennett, Q. Johnson, Osienski, Paradee, B. Short

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 24
AS AMENDED BY
SENATE AMENDMENT NO. 1

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

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

Section 1. Amend § 4902A, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline and redesignating accordingly 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, or the treatment of these ~~conditions;~~ 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,~~ 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 ~~but not limited to~~ those characteristic of multiple ~~sclerosis;~~ sclerosis.

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

(12) "Physician" means a properly licensed physician subject to Chapter 17 of Title 24 except as otherwise provided in this paragraph. ~~If the qualifying patient's debilitating medical condition is post-traumatic stress disorder, the physician must also be a licensed psychiatrist~~. If the qualifying patient is younger than 18 years of age, the physician must be a pediatric neurologist, pediatric gastroenterologist, pediatric oncologist or pediatric palliative care specialist.

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