

A01125 Summary:

BILL NO A01125
SAME AS SAME AS
SPONSOR Gottfried
COSPNSR Lupardo, Abinanti, Dinowitz, Rosenthal L, Ortiz, Simon, Cahill, Bronson, D'Urso, Hevesi, Lifton, Jaffee, Seawright, Weprin
MLTSPNSR Cook, Crespo, Lentol
Amd §3360, Pub Health L

Defines a serious condition regarding the medical use of marihuana as a severe debilitating or life-threatening condition, or symptom or complication of the condition or its treatment, for which, in the practitioner's professional opinion and review of past treatments, the patient is likely to receive therapeutic or palliative benefit from primary or adjunctive treatment with medical use of medical marihuana.

A01125 Text:

STATE OF NEW YORK

1125

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. GOTTFRIED, LUPARDO, ABINANTI, DINOWITZ, L. ROSEN-
THAL, ORTIZ, SIMON, CAHILL, BRONSON, D'URSO, HEVESI, LIFTON, JAFFEE,
SEAWRIGHT, WEPRIN -- Multi-Sponsored by -- M. of A. COOK, CRESPO,
LENTOL -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the definition of
a serious condition regarding the medical use of marihuana

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

1 Section 1. Subdivision 7 of section 3360 of the public health law, as
2 added by chapter 90 of the laws of 2014 and paragraph (a) as amended by
3 chapter 273 of the laws of 2018, is amended to read as follows:

4 7. [~~(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, substance use disorder, or as added by the~~
14 ~~commissioner; and~~

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

20 ~~(b) No later than eighteen months from the effective date of this~~
21 ~~section, the commissioner shall determine whether to add the following~~
22 ~~serious conditions: Alzheimer's, muscular dystrophy, dystonia, post-~~
23 ~~traumatic stress disorder and rheumatoid arthritis] a severe debilitat-~~

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

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1 ing or life-threatening condition, or symptom or complication of the
2 condition or its treatment, for which, in the practitioner's profes-
3 sional opinion and review of past treatments, the patient is likely to
4 receive therapeutic or palliative benefit from primary or adjunctive
5 treatment with medical use of medical marihuana.

6 § 2. This act shall take effect immediately, provided however, that
7 the amendments to title 5-A of article 33 of the public health law made
8 by section one of this act shall not affect the expiration and repeal of
9 such title and shall expire and be deemed repealed therewith.