
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2038 Session of
2021

INTRODUCED BY DELLOSO, HILL-EVANS, N. NELSON, McNEILL,
SCHLOSSBERG, KINSEY, FREEMAN, SANCHEZ, RABB, D. WILLIAMS AND
HOHENSTEIN, OCTOBER 29, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 29, 2021

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled "An
2 act defining the liability of an employer to pay damages for
3 injuries received by an employe in the course of employment;
4 establishing an elective schedule of compensation; providing
5 procedure for the determination of liability and compensation
6 thereunder; and prescribing penalties," in liability and
7 compensation, further providing for schedule of compensation.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 306(f.1)(1) of the act of June 2, 1915
11 (P.L.736, No.338), known as the Workers' Compensation Act, is
12 amended by adding a subparagraph to read:

13 Section 306. The following schedule of compensation is
14 hereby established:

15 * * *

16 (f.1) (1) * * *

17 (ii.1) The following shall apply:

18 (A) In addition to the above service, the employer shall
19 provide for reimbursement to a qualifying patient who obtains
20 medical marijuana for certified medical use under the act of

1 April 17, 2016 (P.L.84, No.16), known as the "Medical Marijuana
2 Act." A qualifying patient shall:

3 (I) be eligible for a dollar-for-dollar reimbursement on
4 medical marijuana, for a maximum monthly reimbursement of two
5 hundred fifty dollars (\$250);

6 (II) cover monthly amounts in excess of two hundred fifty
7 dollars (\$250) that the qualifying patient spends on medical
8 marijuana or manufactured marijuana products which shall not be
9 eligible for reimbursement under this subparagraph; and

10 (III) be limited to a yearly maximum of three thousand
11 dollars (\$3,000) in reimbursements for medical marijuana.

12 (B) An insurer shall establish a system to reimburse
13 qualifying patients under this subparagraph on at least a
14 quarterly basis.

15 (C) A patient shall be eligible for reimbursement of the fee
16 to obtain and renew the identification card required for a
17 patient to be dispensed medical marijuana under the "Medical
18 Marijuana Act."

19 (D) As used in this subparagraph:

20 (I) "Identification card" shall have the same meaning given
21 to it under section 103 of the "Medical Marijuana Act."

22 (II) "Medical marijuana" shall have the same meaning given
23 to it under section 103 of the "Medical Marijuana Act."

24 (III) "Patient" shall have the same meaning given to it
25 under section 103 of the "Medical Marijuana Act."

26 * * *

27 Section 2. This act shall take effect in 60 days.