
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 915 Session of
2023

INTRODUCED BY GUZMAN, MADDEN, CERRATO, HILL-EVANS, SANCHEZ,
KHAN, ROZZI, CEPEDA-FREYTIZ, McANDREW, RABB AND GREEN,
APRIL 17, 2023

REFERRED TO COMMITTEE ON HEALTH, APRIL 17, 2023

AN ACT

1 Amending the act of April 17, 2016 (P.L.84, No.16), entitled "An
2 act establishing a medical marijuana program; providing for
3 patient and caregiver certification and for medical marijuana
4 organization registration; imposing duties on the Department
5 of Health; providing for a tax on medical marijuana
6 organization gross receipts; establishing the Medical
7 Marijuana Program Fund; establishing the Medical Marijuana
8 Advisory Board; establishing a medical marijuana research
9 program; imposing duties on the Department of Corrections,
10 the Department of Education and the Department of Human
11 Services; and providing for academic clinical research
12 centers and for penalties and enforcement," in patients,
13 further providing for identification cards; and, in
14 dispensaries, further providing for dispensing to patients
15 and caregivers.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 501(b) of the act of April 17, 2016
19 (P.L.84, No.16), known as the Medical Marijuana Act, is amended
20 by adding a paragraph and the section is amended by adding a
21 subsection to read:

22 Section 501. Identification cards.

23 * * *

24 (b) Procedure for issuance.--The department shall develop

1 and implement procedures for:

2 * * *

3 (4) Issuance of temporary electronic identification
4 cards to patients and caregivers.

5 * * *

6 (j) Issuance of temporary electronic identification cards.--
7 The department shall issue temporary identification cards in
8 accordance with this subsection, to which the following apply:

9 (1) The department shall issue a temporary electronic
10 identification card to a patient or a caregiver designated by
11 the patient who:

12 (i) is seeking a renewal of an identification card
13 under subsection (c);

14 (ii) has a certification approved by the department;
15 and

16 (iii) has already paid the processing fee under
17 subsection (c) (5), if required.

18 (2) The temporary electronic identification card shall
19 be available immediately through the patient portal upon
20 issuance under paragraph (1).

21 (3) The temporary electronic identification card shall
22 authorize:

23 (i) the patient to obtain and use medical marijuana
24 as authorized by this act for no more than 21 days; and

25 (ii) the caregiver to obtain medical marijuana on
26 behalf of the patient for no more than 21 days.

27 (4) The temporary electronic identification card shall
28 contain the following:

29 (i) The name of the patient or caregiver, as
30 appropriate. The identification card shall also state

1 whether the individual is designated as a patient or as a
2 caregiver.

3 (ii) The date of issuance and an expiration date 21
4 days from the date of issuance.

5 (iii) An identification number for the patient or
6 caregiver, as appropriate.

7 (iv) A photograph of the individual to whom the
8 identification card is being issued, whether the
9 individual is a patient or a caregiver. The method of
10 obtaining the photograph shall be specified by the
11 department by regulation. The department shall provide
12 reasonable accommodation for a patient who is confined to
13 the patient's home or is in inpatient care.

14 (v) Any requirement or limitation set by the
15 practitioner as to the form of medical marijuana.

16 (vi) Any other requirement as deemed necessary by
17 the department, except the department may not require
18 that an identification card disclose the patient's
19 serious medical condition.

20 Section 2. Section 801(a) introductory paragraph of the act
21 is amended to read:

22 Section 801. Dispensing to patients and caregivers.

23 (a) General rule.--A dispensary that has been issued a
24 permit under Chapter 6 may lawfully dispense medical marijuana
25 to a patient or caregiver upon presentation to the dispensary of
26 a valid identification card or temporary electronic
27 identification card for that patient or caregiver. The
28 dispensary shall provide to the patient or caregiver a receipt,
29 as appropriate. The receipt shall include all of the following:

30 * * *

1 Section 3. This act shall take effect in 60 days.