

1 H.839

2 Introduced by Representatives Head of South Burlington, Evans of Essex,

3 Jerman of Essex, Myers of Essex, and Waite-Simpson of Essex

4 Referred to Committee on

5 Date:

6 Subject: Health; therapeutic use of cannabis

7 Statement of purpose of bill as introduced: This bill proposes to increase the
8 amount of marijuana plants and useable marijuana a dispensary may possess;
9 increase the number of registered caregivers a minor who is a registered patient
10 may have at one time; and permit trained school personnel to act as registered
11 caregivers and administer cannabis to children who are registered patients.

12 An act relating to possession limits for marijuana dispensaries and
13 caregivers for children who are registered patients

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 18 V.S.A. § 4474(c) is amended to read:

16 (c)(1) ~~A~~ Except as otherwise provided in subdivision (2) of this subsection,
17 a registered caregiver may serve only one registered patient at a time, and a
18 registered patient may have only one registered caregiver at a time.

19 (2) A registered patient who is under 18 years of age may have up to
20 three registered caregivers. A school nurse, aide, or another registered school

1 employee may act as a caregiver and administer cannabis to a student who is a
2 registered patient.

3 (A) In each school year for which possession and administration of
4 cannabis is requested, the student's caregiver shall develop a plan regarding
5 the student's debilitating medical condition.

6 (B) The plan of action shall be based upon the written documentation
7 provided by the student's physician and shall include the name of each
8 medication, the dosage, and the times and circumstances under which the
9 medication is to be taken. The written plan shall prominently state that the
10 medication is solely for the use of the student covered by the plan. The parties
11 developing the plan shall determine both to whom the plan, or notification of
12 the plan, shall be given and the person or persons responsible for distribution
13 or notification. The written plan shall become part of the student's health
14 records maintained by the school.

15 (C) The student's caregiver shall sign a statement on a form to be
16 provided by the school, releasing the school and its employees and agents,
17 including volunteers, from liability as a result of any injury arising from the
18 student's administration of cannabis, except when the conduct of the school,
19 school employee, or agent would constitute gross negligence, recklessness, or
20 intentional misconduct.

1 Sec. 2. 18 V.S.A. § 4474c is amended to read:

2 § 4474c. PROHIBITIONS, RESTRICTIONS, AND LIMITATIONS

3 REGARDING THE USE OF MARIJUANA FOR SYMPTOM

4 RELIEF

5 (a) This subchapter shall not exempt any person from arrest or prosecution
6 for:

7 * * *

8 (3) The smoking of marijuana in any public place, including:

9 (A) a school bus, public bus, or other public vehicle;

10 (B) a workplace or place of employment;

11 (C) any school grounds except when minor patients are administered
12 cannabis by trained school personnel in accordance with this chapter;

13 (D) any correctional facility; or

14 (E) any public park, public beach, public recreation center, or youth
15 center.

16 * * *

17 Sec. 3. 18 V.S.A. § 4474e is amended to read:

18 § 4474e. DISPENSARIES; CONDITIONS OF OPERATION

19 (a) A dispensary registered under this section may:

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