

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 13, 2021

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB21-1058 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, line 9, after "(f)" insert "(I)".

2 Page 3, after line 13, insert:

3 "(II) A PHYSICIAN, REFERRED TO IN THIS SUBSECTION (5)(f)(II) AS
4 A "RECOMMENDING PHYSICIAN", SHALL ONLY ISSUE A FIRST-TIME MEDICAL
5 MARIJUANA RECOMMENDATION TO A PATIENT BETWEEN THE AGES OF
6 EIGHTEEN AND TWENTY REMOTELY VIA TELEPHONE OR VIDEO
7 CONFERENCE IF:

8 (A) TWO PHYSICIANS DIAGNOSE THE PATIENT AS HAVING A
9 DEBILITATING MEDICAL CONDITION OR DISABLING MEDICAL CONDITION. IF
10 THE RECOMMENDING PHYSICIAN IS NOT THE PATIENT'S PRIMARY CARE
11 PHYSICIAN, THE RECOMMENDING PHYSICIAN SHALL REVIEW THE RECORDS
12 OF A DIAGNOSING PHYSICIAN OR A LICENSED MENTAL HEALTH PROVIDER
13 ACTING WITHIN THEIR SCOPE OF PRACTICE.

14 (B) THE RECOMMENDING PHYSICIAN HAS EXPLAINED THE POSSIBLE
15 RISKS AND BENEFITS OF THE MEDICAL USE OF MARIJUANA TO THE PATIENT;
16 AND

17 (C) THE RECOMMENDING PHYSICIAN HAS PROVIDED THE PATIENT
18 WITH WRITTEN DOCUMENTATION THAT THE PATIENT HAS BEEN DIAGNOSED
19 WITH A DEBILITATING MEDICAL CONDITION OR DISABLING MEDICAL
20 CONDITION AND THE RECOMMENDING PHYSICIAN HAS CONCLUDED THAT
21 THE PATIENT MIGHT BENEFIT FROM THE MEDICAL USE OF MARIJUANA.

22 (III) THE RECOMMENDING PHYSICIAN DESCRIBED IN SUBSECTION
23 (5)(f)(II) OF THIS SECTION SHALL MAINTAIN A RECORD-KEEPING SYSTEM

1 FOR ALL PATIENTS PURSUANT TO SUBSECTION (5)(c) OF THIS SECTION."

2 Page 3, after line 20 insert:

3 **"SECTION 3. Effective date.** THIS ACT TAKES EFFECT WHEN
4 EXECUTIVE ORDER D 2021 044 EXTENDING RESTRICTIONS FOR MEDICAL
5 AND RETAIL MARIJUANA EXPIRES AND IS NOT EXTENDED OR WHEN THIS
6 ACT BECOMES LAW, WHICHEVER IS LATER. THE EXECUTIVE DIRECTOR OF
7 THE DEPARTMENT OF REVENUE SHALL NOTIFY THE REVISOR OF STATUTES
8 IN WRITING OF THE DATE ON WHICH EXECUTIVE ORDER D 2021 044
9 EXPIRES AND IS NOT EXTENDED BY EMAILING THE NOTICE TO
10 REVISOROFSTATUTES.GA@STATE.CO.US. THIS ACT TAKES EFFECT UPON
11 THE DATE IDENTIFIED IN THE NOTICE WHEN EXECUTIVE ORDER D 2021 044
12 EXPIRED AND IS NOT EXTENDED, OR, IF THE NOTICE DOES NOT SPECIFY
13 THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF
14 STATUTES."

15 Renumber succeeding section accordingly.

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