

SECOND REGULAR SESSION

HOUSE BILL NO. 2372

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PATTERSON.

5239H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 195, RSMo, by adding thereto one new section relating to the regulation of physicians who issue physician certifications under Article XIV of the Constitution of Missouri.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be known as section 195.810, to read as follows:

195.810. 1. Physicians shall submit physician certifications under Article XIV of the Constitution of Missouri electronically through a web-based system provided by the department of health and senior services. In the event of system unavailability, the department shall arrange to accept physician certifications in an alternative, department-provided format and shall notify the public of those arrangements through its website.

2. Physician certifications shall be issued no earlier than thirty days before the date the patient will apply for a patient identification card or renewal of a patient identification card.

3. Physician certifications shall include at least the following information:

(1) The physician's name, as it appears in the records of the Missouri board of registration for the healing arts;

(2) The physician's license number;

(3) Whether the physician is licensed to practice medicine or osteopathy;

(4) The physician's business address, telephone number, and email address;

(5) The qualifying patient's name, date of birth, and social security number;

(6) The qualifying patient's qualifying condition;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (7) The physician's recommendation for the amount of medical marijuana the
18 patient should be allowed to purchase in a thirty-day period if the recommended amount
19 is more than four ounces of dried, unprocessed marijuana or its equivalent;

20 (8) Statements confirming the following:

21 (a) In the case of a non-emancipated qualifying patient under eighteen years of age,
22 before certifying the qualifying patient for use of medical marijuana, the physician
23 received the written consent of a parent or legal guardian who asserts he or she will serve
24 as a primary caregiver for the qualifying patient;

25 (b) The physician met with and examined the qualifying patient in person, reviewed
26 the qualifying patient's medical records or medical history, reviewed the qualifying
27 patient's current medications and allergies to medications, discussed the qualifying
28 patient's current symptoms, and created a medical record for the qualifying patient
29 regarding the meeting;

30 (c) In the opinion of the physician, the qualifying patient suffers from the
31 qualifying condition; and

32 (d) The physician discussed with the qualifying patient risks associated with
33 medical marijuana, including known contraindications applicable to the patient, risks of
34 medical marijuana use to fetuses, and risks of medical marijuana use to breast-feeding
35 infants; and

36 (9) The signature of the physician and date on which the physician signed.

37 4. The department may request to interview any physician who chooses to certify
38 individuals as qualifying patients. If such a request is made, the physician shall arrange
39 for the interview to occur as soon as possible but no later than thirty days after the
40 department makes the request.

41 5. Physicians who violate this section are subject to discipline by the board of
42 registration for the healing arts.

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