# ASSEMBLY, No. 1708 **STATE OF NEW JERSEY** 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by: Assemblyman JOHN J. BURZICHELLI District 3 (Cumberland, Gloucester and Salem) Assemblyman HERB CONAWAY, JR. District 7 (Burlington) Assemblywoman JOANN DOWNEY District 11 (Monmouth)

## **SYNOPSIS**

Requires workers' compensation and PIP coverage for medical marijuana under certain circumstances.

# **CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/13/2020)

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AN ACT concerning medical marijuana and insurance coverage, 1 2 amending P.L.2009, c.307, and supplementing various parts of 3 the statutory law. 4 5 **BE IT ENACTED** by the Senate and General Assembly of the State 6 of New Jersey: 7 8 1. Section 16 of P.L.2009, c.307 (C.24:6I-14) is amended to 9 read as follows: 10 a. Nothing in this act shall be construed to require a 16. government medical assistance program or private health insurer to 11 12 reimburse a person for costs associated with the medical use of 13 marijuana, or an employer to accommodate the medical use of 14 marijuana in any workplace. 15 b. Notwithstanding the provisions of subsection a. of this 16 section, an employer or workers' compensation insurance carrier or 17 private passenger automobile insurance carrier shall provide 18 coverage for costs associated with the medical use of marijuana 19 pursuant to P.L., c. (C.) (pending before the Legislature as 20 this bill). (cf: P.L.2009, c.307, s.16) 21 22 23 (New section) The Legislature finds and declares that 2. 24 scientific data indicate that medical marijuana has significant medical value when used in the treatment of certain injuries and 25 26 diseases, including pain relief, control of nausea and vomiting, and 27 appetite stimulation. Marijuana also has potential therapeutic value 28 from effects such as anxiety reduction, sedation, and euphoria. 29 Scientific studies have found that marijuana is effective in relieving some of the symptoms of HIV/AIDS, cancer, glaucoma, and 30 multiple sclerosis. Other studies have suggested that medical 31 32 marijuana legalization may lead to decreased prescription opioid abuse. 33 34 Although medical marijuana has many useful therapeutic 35 benefits, its use is limited because its costs are not covered by 36 insurance. By requiring coverage for medical marijuana under 37 workers' compensation and private passenger automobile insurance, 38 access to these benefits will be expanded. Additionally, medical 39 marijuana may lower costs for insurers by providing a more economical alternative to more expensive and risky drugs such as 40 41 opioids. 42 43 3. (New section) Personal injury protection benefits provided 44 pursuant to section 4 of P.L.1972, c.70 (C.39:6A-4) or section 4 of 45 P.L.1998, c.21 (C.39:6A-3.1) shall include coverage for costs 46 associated with the medical use of marijuana provided that:

EXPLANATION – Matter enclosed in **bold-faced brackets** [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined <u>thus</u> is new matter.

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a. The insured is a qualifying patient authorized for the medical 1 2 use of marijuana pursuant to P.L.2009, c.307 (C.24:6I-1 et al); and 3 b. At least one other medication or treatment has been 4 attempted and found to be unsuccessful in treating the patient's 5 debilitating medical condition. 6 7 4. (New section) Workers' compensation benefits paid by any 8 employer or a workers' compensation insurance carrier of an 9 employer for an injury to an employee under R.S.34:15-1 et seq. 10 shall include coverage for costs associated with the medical use of 11 marijuana provided that: 12 a. The employee is a qualifying patient authorized for the medical use of marijuana pursuant to P.L.2009, c.307 (C.24:6I-1 et 13 14 al): and 15 b. At least one other medication or treatment has been attempted and found to be unsuccessful in treating the patient's 16 17 debilitating medical condition. 18 5. This act shall take effect on the 90th day next following 19 20 enactment. 21 22 23 **STATEMENT** 24 25 This bill requires workers' compensation and personal injury 26 protection (PIP) coverage for medical marijuana under certain 27 circumstances. 28 The bill provides that personal injury protection automobile 29 insurance benefits and workers' compensation benefits must include 30 coverage for costs associated with the medical use of marijuana provided that the insured or the employee is a qualifying patient 31 32 authorized for medical marijuana pursuant to the "Compassionate Use Medical Marijuana Act," P.L.2009, c.307 (C.24:6I-1 et al), and 33 34 at least one other medication or treatment has been attempted and 35 found to be unsuccessful in treating the debilitating medical

36 condition that qualified the patient for the medical use of marijuana.