

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1635

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 2020

The Assembly Health Committee reports favorably and with committee amendments to Assembly Bill No. 1635.

As amended by the committee, this bill permits patients to be authorized for medical cannabis and to have written instructions for medical cannabis issued to the patient using telemedicine and telehealth.

Specifically, for a period of 270 days following the effective date of the bill, a health care practitioner may authorize a patient who is a resident of a long-term care facility, has a developmental disability, is terminally ill, is receiving hospice care from a licensed hospice care provider, or is housebound as certified by the patient's physician, for the medical use of cannabis using telemedicine and telehealth. Thereafter, a health care practitioner may initially authorize any patient for the medical use of cannabis using telemedicine and telehealth, provided that, except in the case of a patient who is a resident of a long-term care facility, has a developmental disability, is terminally ill, is receiving hospice care from a licensed hospice care provider, or is housebound as certified by the patient's physician, the patient has had at least one previous in-office consultation with the health care practitioner prior to the patient's authorization for the medical use of cannabis.

Following the initial authorization, the patient is to have at least one in-office consultation with the practitioner on an annual basis in order for the patient to receive continued authorization for the use of medical cannabis. The practitioner may require more frequent in-office consultations if additional consultations are necessary to continue to authorize the patient's use of medical cannabis. The bill additionally allows written instructions for medical cannabis to be provided to or on behalf of a patient using telemedicine and telehealth.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As reported by the committee, Assembly Bill No. 1635 is identical to Senate Bill No. 619 (1R) which was reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments revise the list of patients who can be approved for medical cannabis using telemedicine and telehealth in the first 270 days after the effective date of the bill to remove children from the list. The amendments also revise the list of patients who can be approved for medical cannabis using telemedicine and telehealth after the initial 270-day period without the requirement for an initial in-person consultation to remove children, add residents of long-term care facilities, and clarify that patients who are housebound require certification of that condition by their physicians. The amendments further revise both lists to clarify that they apply to hospice patients who are receiving services from a licensed hospice care program.

The amendments provide that following the initial authorization, the patient is to have at least one in-office consultation with the practitioner on an annual basis in order for the patient to receive continued authorization for the use of medical cannabis. The practitioner may require more frequent in-office consultations if additional consultations are necessary to continue to authorize the patient's use of medical cannabis.

The committee amendments make a technical change to the synopsis and make various technical changes involving grammar and syntax.