



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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The Honorable John Carney
Governor

John A. McNeal
Director

MEMORANDUM

DATE: April 29, 2019

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Mr. J. Todd Webb, Chairperson
State Council for Persons with Disabilities

RE: S.B. 24 & S.B. 59 (Medical Marijuana)

The State Council for Persons with Disabilities (SCPD) has reviewed S.B. 24 and S.B. 59 relating to medical marijuana. S.B. 24 amends 16 Del.C. § 4902A to allow patients to qualify for a valid registry identification card to purchase and use medical marijuana for any condition that a physician certifies that medical marijuana would likely provide therapeutic or palliative benefit. The bill also removes the requirement that only certain specialists may certify the use of medical marijuana if the patient is younger than 18 years old. S.B. 59 amends Section 4902A to allow nurse practitioners and physician assistants to recommend medical marijuana for patients. SCPD endorses the proposed legislation which expands patient access to medical marijuana. Council has the following observations.

Current law identifies the following as acceptable conditions for which an individual can obtain medical marijuana: cancer, a terminal illness, HIV, AIDS, advanced liver damage, ALS (Lou Gehrig's disease), aggression or anxiety caused by Alzheimer's disease, post-traumatic stress disorder, glaucoma, severe migraines and "a chronic or debilitating disease or medical condition or its treatment" that involves nausea, serious pain, seizures, muscle spasms or wasting syndrome. Current law also only allows "physicians," excluding nurse practitioners and physician assistants, to recommend medical marijuana for patients.

The National Institute on Drug Abuse reports that medical marijuana benefits individuals experiencing pain and inflammation, helps control epileptic seizures, and assists with the treatment of mental illness and addiction. Allowing medical marijuana for any condition and

allowing nurse practitioners and physician assistants to make recommendations for its use gives patients an additional treatment option and allows all health-care practitioners to use their best professional judgment when treating patients.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position and observations on the proposed legislation.

cc: Ms. Laura Waterland, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

SB 24 & 59 medical marijuana 4-18-19