

HOUSE BILL 331

F1, J1

0lr0397
CF 0lr3019

By: **Delegates Lisanti, Boteler, Grammer, and Johnson**

Introduced and read first time: January 20, 2020

Assigned to: Ways and Means and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Medical Cannabis – Guidelines for Administration to Students**
3 **(Connor’s Courage)**

4 FOR the purpose of requiring, on or before a certain date, the State Department of
5 Education and the Natalie M. LaPrade Medical Cannabis Commission jointly to
6 develop guidelines for public schools regarding the administration of medical
7 cannabis to certain students during school hours and school–sponsored after–school
8 activities; providing for the contents of the guidelines; requiring, on or before a
9 certain date, the Department and the Commission jointly to provide certain technical
10 assistance to schools for certain purposes and to develop a process to monitor
11 implementation of certain guidelines; and generally relating to medical cannabis and
12 public schools.

13 BY adding to
14 Article – Education
15 Section 7–446
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 **7–446.**

22 **(A) ON OR BEFORE DECEMBER 1, 2020, THE DEPARTMENT AND THE**
23 **NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION JOINTLY SHALL DEVELOP**
24 **GUIDELINES FOR PUBLIC SCHOOLS REGARDING THE ADMINISTRATION OF MEDICAL**
25 **CANNABIS TO STUDENTS WHO ARE QUALIFYING PATIENTS UNDER TITLE 13,**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE DURING SCHOOL HOURS AND**
2 **SCHOOL–SPONSORED AFTER–SCHOOL ACTIVITIES.**

3 **(B) THE GUIDELINES SHALL INCLUDE:**

4 **(1) PROCEDURES FOR EDUCATING SCHOOL NURSES ON ISSUES**
5 **RELATING TO MEDICAL CANNABIS, INCLUDING:**

6 **(I) THE STATE’S MEDICAL CANNABIS PROGRAM;**

7 **(II) FEDERAL AND STATE LAWS AND REGULATIONS;**

8 **(III) PROFESSIONAL LICENSURE AND CIVIL AND CRIMINAL**
9 **LIABILITY ISSUES;**

10 **(IV) CANNABIS PHARMACOLOGY AND RESEARCH ASSOCIATED**
11 **WITH THE MEDICAL USE OF CANNABIS; AND**

12 **(V) SAFETY CONSIDERATIONS FOR PATIENT USE OF CANNABIS**
13 **AS IT RELATES TO A SCHOOL SETTING;**

14 **(2) PROTOCOLS TO ENSURE STUDENTS WHO ARE QUALIFYING**
15 **PATIENTS RECEIVE CARE DURING SCHOOL HOURS AND SCHOOL–SPONSORED**
16 **AFTER–SCHOOL ACTIVITIES, AS DETERMINED BY:**

17 **(I) THE STUDENT’S CERTIFYING PROVIDER;**

18 **(II) THE STUDENT’S PARENT OR GUARDIAN OR CAREGIVER; AND**

19 **(III) THE SCHOOL NURSE’S ASSESSMENT;**

20 **(3) SECURITY PROTOCOLS FOR THE POSSESSION, STORAGE, AND**
21 **LOSS OR THEFT OF MEDICAL CANNABIS ON SCHOOL PROPERTY;**

22 **(4) APPROPRIATE METHODS FOR ADMINISTERING MEDICAL**
23 **CANNABIS BY A SCHOOL NURSE DURING SCHOOL HOURS AND SCHOOL–SPONSORED**
24 **AFTER–SCHOOL ACTIVITIES;**

25 **(5) NOTICE REQUIREMENTS TO APPROPRIATE SCHOOL PERSONNEL,**
26 **PARENTS AND GUARDIANS OR CAREGIVERS, AND LOCAL LAW ENFORCEMENT, IF**
27 **NECESSARY; AND**

28 **(6) ANY OTHER ISSUES CONCERNING THE ADMINISTRATION OF**

1 MEDICAL CANNABIS TO STUDENTS WHO ARE QUALIFYING PATIENTS DURING
2 SCHOOL HOURS AND SCHOOL-SPONSORED AFTER-SCHOOL ACTIVITIES.

3 (C) ON OR BEFORE DECEMBER 1, 2020, THE DEPARTMENT AND THE
4 NATALIE M. LAPRADE MEDICAL CANNABIS COMMISSION JOINTLY SHALL:

5 (1) PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO:

6 (I) IMPLEMENT THE GUIDELINES ESTABLISHED UNDER THIS
7 SECTION; AND

8 (II) INSTRUCT SCHOOL PERSONNEL AT THE LOCAL LEVEL
9 REGARDING THE GUIDELINES ESTABLISHED UNDER THIS SECTION; AND

10 (2) DEVELOP A PROCESS TO MONITOR IMPLEMENTATION OF THE
11 GUIDELINES.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2020.