

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3964

03/03/2022

Authored by Edelson and West

The bill was read for the first time and referred to the Committee on Health Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to health; requiring the commissioner of health to apply for a federal
- 1.3 Schedule I exemption for the medical use of cannabis; amending Minnesota Statutes
- 1.4 2020, section 152.32, subdivision 1.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 152.32, subdivision 1, is amended to read:
- 1.7 Subdivision 1. **Presumption Presumptions.** (a) There is a presumption that a patient
- 1.8 enrolled in the registry program under sections 152.22 to 152.37 is engaged in the authorized
- 1.9 use of medical cannabis.
- 1.10 (b) The presumption in paragraph (a) may be rebutted by evidence that conduct related
- 1.11 to use of medical cannabis was not for the purpose of treating or alleviating the patient's
- 1.12 qualifying medical condition or symptoms associated with the patient's qualifying medical
- 1.13 condition.
- 1.14 (c) Sections 152.22 to 152.37 do not create any positive conflict with federal drug laws
- 1.15 or regulations and are consistent with United States Code, title 21, section 903.
- 1.16 Sec. 2. **FEDERAL SCHEDULE I EXEMPTION APPLICATION FOR MEDICAL**
- 1.17 **USE OF CANNABIS.**
- 1.18 By September 1, 2022, the commissioner of health shall apply to the Drug Enforcement
- 1.19 Administration's Office of Diversion Control for an exception under Code of Federal
- 1.20 Regulations, title 21, section 1307.03, and request formal written acknowledgment that the
- 1.21 listing of marijuana, marijuana extract, and tetrahydrocannabinols as controlled substances
- 1.22 in federal Schedule I does not apply to the protected activities in Minnesota Statutes, section

- 2.1 152.32, subdivision 2, pursuant to the medical cannabis program established under Minnesota
- 2.2 Statutes, sections 152.22 to 152.37. The application shall include the list of presumptions
- 2.3 in Minnesota Statutes, section 152.32, subdivision 1.