

# HOUSE . . . . . No. 6415

Text of an amendment, offered by Ms. Buell of Greenfield, to the Senate Bill providing for the use of marijuana in therapeutic research (Senate, No. 1528). December 20.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

1 Striking out all after the enacting clause and inserting in place  
2 thereof the following:  
3 "The General Laws are hereby amended by inserting after  
4 Chapter 94C the following chapter: —

### 5 CHAPTER 94D.

6 Controlled Substances Therapeutic Research Act.

7 Section 1. As used in this chapter, the following words shall  
8 have the following meanings: —

9 'Commissioner,' the commissioner of public health.

10 'Department,' the department of public health in the Executive  
11 Office of Health and Human Services.

12 'Marijuana,' the plant *Cannabis sativa* L., tetrahydrocanna-  
13 binol, or a chemical derivative or synthesis of tetrahydro-  
14 cannabinol.

15 'Physician,' a person licensed in accordance with the provisions  
16 of section two of chapter one hundred and twelve.

17 Section 2. There shall be in the department a therapeutic  
18 research program, hereinafter called the program, to conduct  
19 research and monitor experimentation in the use of marijuana as  
20 a therapeutic modality in alleviating the nausea and ill-effect of  
21 cancer chemotherapy and radiation therapy, in decreasing  
22 intraocular pressure in glaucoma patients, and in decreasing  
23 airway resistance in asthmatics.

24 Participation in the program shall be limited to patients with  
25 respect to whom a physician has certified the following: that the  
26 patient is threatened by loss of life or sight, or asthmatics who  
27 experience severe respiratory problems or discomfort; that the

28 patient is not responding to or has incurred severe side effects from  
29 the administration of conventional controlled substances; and  
30 that the patient has given in writing his informed consent based  
31 upon information about the nature, duration, and purpose of the  
32 research, the method and means by which it is to be conducted,  
33 the inconveniences and hazards reasonably to be expected, and  
34 the effects upon the patient's health or person which may  
35 reasonably be expected to come from his participation.

36 The department shall contract with the national institute on  
37 drug abuse, the national cancer institute or any other  
38 manufacturer, distributor or analytical laboratory for the receipt  
39 of analyzed marijuana, as defined by the department, for  
40 distribution to an approved patient upon the written prescription  
41 of a physician. Any such program shall comply with all applicable  
42 federal and state laws.

43 For the purpose of implementing this act the commissioner shall  
44 make such rules and regulations as may be necessary.

45 Section 3. The department shall establish guidelines for the  
46 administration of the program, after consultation with medical,  
47 psychiatric and pharmacological experts. The department shall  
48 approve participation in the program in accordance with said  
49 guidelines for patients whose physicians certify that the  
50 administration of marijuana may have beneficial therapeutic  
51 effects. The department shall review the plans, studies, and  
52 proposed annual budget of the program and file an annual report  
53 of its activities pursuant to this chapter with the governor and the  
54 general court.

55 Except for its annual and interim reports, if any, the records  
56 of the department which are maintained pursuant to Chapter 94D  
57 shall not be deemed to be public records within the meaning of  
58 section seven of chapter four of the General Laws. The department  
59 may close any of its proceedings or meetings, and the provisions  
60 of section eleven A $\frac{1}{2}$  of chapter thirty A of the General Laws shall  
61 not be applicable thereto.”