

MedChi

The Maryland State Medical Society

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TO: The Honorable Melony Griffith, Chair
The Honorable Guy Guzzone, Chair
Members, Senate Finance Committee
Members, Senate Budget and Taxation Committee
The Honorable Brian J. Feldman

FROM: Ashton DeLong, Esq., General Counsel

DATE: March 9, 2023

RE: **LETTER OF INFORMATION** – Senate Bill 516 – *Cannabis Reform*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, submits this **letter of information** for Senate Bill 516.

Senate Bill 516 implements the regulatory framework for the adult use of cannabis. MedChi applauds the work of the General Assembly that has culminated in this legislation, in particular, the decision not to impose a sales tax on medical cannabis. As the Committee works on this legislation, we would request that this provision be left intact so that existing medical cannabis patients do not suddenly have to pay the sales tax in an adult use market.

Secondly, we want to call to the Committee's attention a change being made from existing law as to who may act as a certifying provider. Current law allows a nurse practitioner or nurse midwife, which are both advanced practice nurses with prescribing authority for other types of drugs, to act as certifying providers for medical cannabis. Under Senate Bill 516, however, *registered* nurses—who do not have prescribing authority for other drugs—are subtly added to the list of certifying providers allowed to recommend cannabis on p. 21 at line 11 by using the word “or”.

MedChi does not believe that the General Assembly has thoroughly considered this change or that it should be made in the context of this bill. There is no evidence of a lack of existing certifying providers, with physicians, dentists, podiatrists, nurse practitioners, and physician assistants already filling this role. Furthermore, it is anticipated that far fewer people will seek qualification as medical cannabis patients once the adult use market takes hold, so the need for certifying providers will actually decrease, thereby lowering the need for certifying providers. And finally, this would be the first time that a health occupation that does not have prescribing authority would be permitted to recommend cannabis, a change that will likely lead to many other health occupations without prescribing authority seeking the same change in the future.

We thank the Committee for considering these points as it moves forward with this legislation.