

**ASSEMBLY, No. 913**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblyman Danielsen**

**SYNOPSIS**

Authorizes medical cannabis for treatment of sickle cell anemia.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning medical cannabis and sickle cell anemia and  
2 amending P.L.2009, c.307.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 3 of P.L.2009 (C.24:6I-3) is amended to read as  
8 follows:

9 3. As used in P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015,  
10 c.158 (C.18A:40-12.22 et al.):

11 "Academic medical center" means (1) an entity located in New  
12 Jersey that, on the effective date of P.L.2019, c.153 (C.24:6I-5.1 et  
13 al.), has an addiction medicine faculty practice or is in the same  
14 health care system as another facility located in New Jersey that  
15 offers outpatient medical detoxification services or inpatient  
16 treatment services for substance use disorder; has a pain  
17 management faculty practice or a facility-based pain management  
18 service located in New Jersey; has graduate medical training  
19 programs accredited, or pending accreditation, by the Accreditation  
20 Council for Graduate Medical Education or the American  
21 Osteopathic Association in primary care and medical specialties; is  
22 the principal teaching affiliate of a medical school based in the  
23 State; and has the ability to conduct research related to medical  
24 cannabis. If the entity is part of a system of health care facilities,  
25 the entity shall not qualify as an academic medical center unless the  
26 health care system is principally located within the State; or

27 (2) an accredited school of osteopathic medicine that: is located  
28 in a state that shares a common border with this State; has an  
29 articulation agreement or similar memorandum of understanding,  
30 plus an agreement to establish and maintain an apprenticeship  
31 program in this State to train workers in the cannabis industry,  
32 which training would earn college credit, with any State college or  
33 university located in a county of the first class with a college of  
34 nursing or nursing degree program accredited by the Commission  
35 on Collegiate Nursing Education on the effective date of P.L.2021,  
36 c.16 (C.24:6I-31 et al.); and has an institutional review board that  
37 has, on the effective date of P.L.2021, c.16 (C.24:6I-31 et al.),  
38 previously approved a clinical research study in this State involving  
39 medical cannabis; and has the ability and will conduct all research  
40 and development in the county in which the partner State college or  
41 university is located.

42 "Adverse employment action" means refusing to hire or employ  
43 an individual, barring or discharging an individual from  
44 employment, requiring an individual to retire from employment, or  
45 discriminating against an individual in compensation or in any  
46 terms, conditions, or privileges of employment.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 "Cannabis" has the meaning given to "marihuana" in section 2 of  
2 the "New Jersey Controlled Dangerous Substances Act," P.L.1970,  
3 c.226 (C.24:21-2).

4 "Clinical registrant" means an entity that has a written  
5 contractual relationship with an academic medical center in the  
6 region in which it has its principal place of business, which includes  
7 provisions whereby the parties will engage in clinical research  
8 related to the use of medical cannabis and the academic medical  
9 center or its affiliate will provide advice to the entity regarding  
10 patient health and safety, medical applications, and dispensing and  
11 managing controlled dangerous substances, among other areas.

12 "Commission" means the Cannabis Regulatory Commission  
13 established pursuant to section 31 of P.L.2019, c.153 (C.24:6I-24).

14 "Commissioner" means the Commissioner of Health.

15 "Common ownership or control" means:

16 (1) between two for-profit entities, the same individuals or  
17 entities own and control more than 50 percent of both entities;

18 (2) between a nonprofit entity and a for-profit entity, a majority  
19 of the directors, trustees, or members of the governing body of the  
20 nonprofit entity directly or indirectly own and control more than 50  
21 percent of the for-profit entity; and

22 (3) between two nonprofit entities, the same directors, trustees,  
23 or governing body members comprise a majority of the voting  
24 directors, trustees, or governing body members of both nonprofits.

25 "Department" means the Department of Health.

26 "Designated caregiver" means a resident of the State who:

27 (1) is at least 18 years old;

28 (2) has agreed to assist with a registered qualifying patient's  
29 medical use of cannabis, is not currently serving as a designated  
30 caregiver for more than one other qualifying patient, and is not the  
31 qualifying patient's health care practitioner;

32 (3) subject to the provisions of paragraph (2) of subsection c. of  
33 section 4 of P.L.2009, c.307 (C.24:6I-4), has never been convicted  
34 of possession or sale of a controlled dangerous substance, unless  
35 such conviction occurred after the effective date of P.L.2009, c.307  
36 (C.24:6I-1 et al.) and was for a violation of federal law related to  
37 possession or sale of cannabis that is authorized under P.L.2009,  
38 c.307 (C.24:6I-1 et al.) or P.L.2015, c.158 (C.18A:40-12.22 et al.);

39 (4) has registered with the commission pursuant to section 4 of  
40 P.L.2009, c.307 (C.24:6I-4), and, except in the case of a designated  
41 caregiver who is an immediate family member of the patient, has  
42 satisfied the criminal history record background check requirement  
43 of section 4 of P.L.2009, c.307 (C.24:6I-4); and

44 (5) has been designated as a designated caregiver by the patient  
45 when registering or renewing a registration with the commission or  
46 in other written notification to the commission.

47 "Dispense" means the furnishing of medical cannabis to a  
48 registered qualifying patient, designated caregiver, or institutional

1 caregiver by a medical cannabis dispensary or clinical registrant  
2 pursuant to written instructions issued by a health care practitioner  
3 pursuant to the requirements of P.L.2009, c.307 (C.24:6I-1 et al.).  
4 The term shall include the act of furnishing medical cannabis to a  
5 medical cannabis handler for delivery to a registered qualifying  
6 patient, designated caregiver, or institutional caregiver, consistent  
7 with the requirements of subsection i. of section 27 of P.L.2019,  
8 c.153 (C.24:6I-20).

9 "Health care facility" means a general acute care hospital,  
10 nursing home, long term care facility, hospice care facility, group  
11 home, facility that provides services to persons with developmental  
12 disabilities, behavioral health care facility, or rehabilitation center.

13 "Health care practitioner" means a physician, advanced practice  
14 nurse, or physician assistant licensed or certified pursuant to Title  
15 45 of the Revised Statutes who:

16 (1) possesses active registrations to prescribe controlled  
17 dangerous substances issued by the United States Drug  
18 Enforcement Administration and the Division of Consumer Affairs  
19 in the Department of Law and Public Safety;

20 (2) is the health care practitioner responsible for the ongoing  
21 treatment of a patient's qualifying medical condition, the symptoms  
22 of that condition, or the symptoms associated with the treatment of  
23 that condition, provided, however, that the ongoing treatment shall  
24 not be limited to the provision of authorization for a patient to use  
25 medical cannabis or consultation solely for that purpose; and

26 (3) if the patient is a minor, is a pediatric specialist.

27 "Immediate family" means the spouse, domestic partner, civil  
28 union partner, child, sibling, or parent of an individual, and shall  
29 include the siblings, parents, and children of the individual's spouse,  
30 domestic partner, or civil union partner, and the parents, spouses,  
31 domestic partners, or civil union partners of the individual's parents,  
32 siblings, and children.

33 "Institutional caregiver" means a resident of the State who:

34 (1) is at least 18 years old;

35 (2) is an employee of a health care facility;

36 (3) is authorized, within the scope of the individual's  
37 professional duties, to possess and administer controlled dangerous  
38 substances in connection with the care and treatment of patients and  
39 residents pursuant to applicable State and federal laws;

40 (4) is authorized by the health care facility employing the person  
41 to assist registered qualifying patients who are patients or residents  
42 of the facility with the medical use of cannabis, including, but not  
43 limited to, obtaining medical cannabis for registered qualifying  
44 patients and assisting registered qualifying patients with the  
45 administration of medical cannabis;

46 (5) subject to the provisions of paragraph (2) of subsection c. of  
47 section 4 of P.L.2009, c.307 (C.24:6I-4), has never been convicted  
48 of possession or sale of a controlled dangerous substance, unless

1 such conviction occurred after the effective date of P.L.2009, c.307  
2 (C.24:6I-1 et al.) and was for a violation of federal law related to  
3 possession or sale of cannabis that is authorized under P.L.2009,  
4 c.307 (C.24:6I-1 et al.) or P.L.2015, c.158 (C.18A:40-12.22 et al.);  
5 and

6 (6) has registered with the commission pursuant to section 4 of  
7 P.L.2009, c.307 (C.24:6I-4).

8 "Integrated curriculum" means an academic, clinical, or research  
9 program at an institution of higher education that is coordinated  
10 with a medical cannabis cultivator, medical cannabis manufacturer,  
11 or medical cannabis dispensary to apply theoretical principles,  
12 practical experience, or both involving the cultivation,  
13 manufacturing, dispensing, delivery, or medical use of cannabis to a  
14 specific area of study, including, but not limited to, agriculture,  
15 biology, business, chemistry, culinary studies, ecology,  
16 environmental studies, health care, horticulture, technology, or any  
17 other appropriate area of study or combined areas of study.  
18 Integrated curricula shall be subject to approval by the commission  
19 and the Office of the Secretary of Higher Education.

20 "Integrated curriculum permit" or "IC permit" means a permit  
21 issued to a medical cannabis cultivator, medical cannabis  
22 manufacturer, or medical cannabis dispensary that includes an  
23 integrated curriculum approved by the commission and the Office  
24 of the Secretary of Higher Education.

25 "Medical cannabis alternative treatment center" or "alternative  
26 treatment center" means an organization issued a permit, including  
27 a conditional permit, by the commission to operate as a medical  
28 cannabis cultivator, medical cannabis manufacturer, medical  
29 cannabis dispensary, or clinical registrant. This term shall include  
30 the organization's officers, directors, board members, and  
31 employees.

32 "Medical cannabis cultivator" means an organization holding a  
33 permit issued by the commission that authorizes the organization to:  
34 possess and cultivate cannabis and deliver, transfer, transport,  
35 distribute, supply, and sell medical cannabis and related supplies to  
36 other medical cannabis cultivators and to medical cannabis  
37 manufacturers, clinical registrants, and medical cannabis  
38 dispensaries, as well as to plant, cultivate, grow, and harvest  
39 medical cannabis for research purposes. A medical cannabis  
40 cultivator permit shall not authorize the permit holder to  
41 manufacture, produce, or otherwise create medical cannabis  
42 products, or to deliver, transfer, transport, distribute, supply, sell, or  
43 dispense medical cannabis, medical cannabis products,  
44 paraphernalia, or related supplies to qualifying patients, designated  
45 caregivers, or institutional caregivers.

46 "Medical cannabis dispensary" means an organization issued a  
47 permit by the commission that authorizes the organization to:  
48 purchase or obtain medical cannabis and related supplies from

1 medical cannabis cultivators; purchase or obtain medical cannabis  
2 products and related supplies from medical cannabis manufacturers;  
3 purchase or obtain medical cannabis, medical cannabis products,  
4 and related supplies and paraphernalia from other medical cannabis  
5 dispensaries and from clinical registrants; deliver, transfer,  
6 transport, distribute, supply, and sell medical cannabis and medical  
7 cannabis products to other medical cannabis dispensaries; furnish  
8 medical cannabis, including medical cannabis products, to a  
9 medical cannabis handler for delivery to a registered qualifying  
10 patient, designated caregiver, or institutional caregiver consistent  
11 with the requirements of subsection i. of section 27 of P.L.2019,  
12 c.153 (C.24:6I-20); and possess, display, deliver, transfer, transport,  
13 distribute, supply, sell, and dispense medical cannabis, medical  
14 cannabis products, paraphernalia, and related supplies to qualifying  
15 patients, designated caregivers, and institutional caregivers. A  
16 medical cannabis dispensary permit shall not authorize the permit  
17 holder to cultivate medical cannabis, to produce, manufacture, or  
18 otherwise create medical cannabis products.

19 "Medical cannabis manufacturer" means an organization issued a  
20 permit by the commission that authorizes the organization to:  
21 purchase or obtain medical cannabis and related supplies from a  
22 medical cannabis cultivator or a clinical registrant; purchase or  
23 obtain medical cannabis products from another medical cannabis  
24 manufacturer or a clinical registrant; produce, manufacture, or  
25 otherwise create medical cannabis products; and possess, deliver,  
26 transfer, transport, distribute, supply, and sell medical cannabis  
27 products and related supplies to other medical cannabis  
28 manufacturers and to medical cannabis dispensaries and clinical  
29 registrants. A medical cannabis manufacturer permit shall not  
30 authorize the permit holder to cultivate medical cannabis or to  
31 deliver, transfer, transport, distribute, supply, sell, or dispense  
32 medical cannabis, medical cannabis products, paraphernalia, or  
33 related supplies to registered qualifying patients, designated  
34 caregivers, or institutional caregivers.

35 "Medical use of cannabis" means the acquisition, possession,  
36 transport, or use of cannabis or paraphernalia by a registered  
37 qualifying patient as authorized by P.L.2009, c.307 (C.24:6I-1 et  
38 al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.).

39 "Minor" means a person who is under 18 years of age and who  
40 has not been married or previously declared by a court or an  
41 administrative agency to be emancipated.

42 "Paraphernalia" has the meaning given in N.J.S.2C:36-1.

43 "Pediatric specialist" means a physician who is a board-certified  
44 pediatrician or pediatric specialist, or an advanced practice nurse or  
45 physician assistant who is certified as a pediatric specialist by an  
46 appropriate professional certification or licensing entity.

1 "Primary care" means the practice of family medicine, general  
2 internal medicine, general pediatrics, general obstetrics, or  
3 gynecology.

4 "Qualifying medical condition" means seizure disorder,  
5 including epilepsy; intractable skeletal muscular spasticity; post-  
6 traumatic stress disorder; glaucoma; positive status for human  
7 immunodeficiency virus; acquired immune deficiency syndrome;  
8 cancer; amyotrophic lateral sclerosis; multiple sclerosis; muscular  
9 dystrophy; inflammatory bowel disease, including Crohn's disease;  
10 terminal illness, if the patient has a prognosis of less than 12  
11 months of life; anxiety; migraine; Tourette's syndrome;  
12 dysmenorrhea; chronic pain; opioid use disorder; sickle cell anemia;  
13 or any other medical condition or its treatment that is approved by  
14 the commission.

15 "Qualifying patient" or "patient" means a resident of the State  
16 who has been authorized for the medical use of cannabis by a health  
17 care practitioner.

18 "Registration with the commission" means a person has met the  
19 qualification requirements for, and has been registered by the  
20 commission as, a registered qualifying patient, designated  
21 caregiver, or institutional caregiver. The commission shall establish  
22 appropriate means for health care practitioners, health care  
23 facilities, medical cannabis dispensaries, law enforcement, schools,  
24 facilities providing behavioral health services or services for  
25 persons with developmental disabilities, and other appropriate  
26 entities to verify an individual's status as a registrant with the  
27 commission.

28 "Significantly involved person" means a person or entity who  
29 holds at least a five percent investment interest in an entity issued,  
30 or applying for a permit to operate as, a medical cannabis cultivator,  
31 medical cannabis manufacturer, medical cannabis dispensary, or  
32 clinical registrant, or who is a decision making member of a group  
33 that holds at least a 20 percent investment interest in an entity  
34 issued, or applying for a permit to operate as, a medical cannabis  
35 cultivator, medical cannabis manufacturer, medical cannabis  
36 dispensary, or clinical registrant, in which no member of that group  
37 holds more than a five percent interest in the total group investment  
38 interest, and the person or entity makes controlling decisions  
39 regarding the operations of the entity issued, or applying for a  
40 permit to operate as, a medical cannabis cultivator, medical  
41 cannabis manufacturer, medical cannabis dispensary, or clinical  
42 registrant.

43 "Terminally ill" means having an illness or condition with a  
44 prognosis of less than 12 months of life.

45 "Usable cannabis" means the dried leaves and flowers of  
46 cannabis, and any mixture or preparation thereof, and does not  
47 include the seeds, stems, stalks, or roots of the plant.

48 (cf: P.L.2021, c.16, s.4)

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill expands the list of medical conditions that qualify a  
7 patient for the medical use of cannabis to include sickle cell anemia.

8 Sickle cell anemia is an inherited blood disorder characterized  
9 primarily by chronic anemia and periodic episodes of pain. The

10 medical use of cannabis can treat or alleviate the pain or other

11 symptoms associated with certain medical conditions.