

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0980.01 Michael Dohr x4347

HOUSE BILL 18-1263

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HOUSE SPONSORSHIP

Hooton and Melton,

SENATE SPONSORSHIP

Coram and Fenberg, Marble, Guzman

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House Committees

Health, Insurance, & Environment

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING ADDING CERTAIN CONDITIONS TO THE LIST OF DISABLING  
102 MEDICAL CONDITIONS FOR MEDICAL MARIJUANA USE, AND, IN  
103 CONNECTION THEREWITH, ADDING AUTISM SPECTRUM  
104 DISORDERS AND ACUTE PAIN.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill adds autism spectrum disorders and acute pain to the list of disabling medical conditions that authorize a person to use medical marijuana for his or her condition.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 25-1.5-106, **amend**  
3 (2)(a) and (2)(a.7); and **add** (2)(a.3) as follows:

4           **25-1.5-106. Medical marijuana program - powers and duties**  
5 **of state health agency - rules - medical review board - medical**  
6 **marijuana program cash fund - subaccount - created - repeal.**

7 (2) **Definitions.** In addition to the definitions set forth in section 14 (1)  
8 of article XVIII of the state constitution, as used in this section, unless the  
9 context otherwise requires:

10           (a) ~~"Authorized employees of the state health agency" includes~~  
11 ~~independent contractors or other agencies with whom the state health~~  
12 ~~agency contracts or is working under an intergovernmental agreement to~~  
13 ~~provide services related to the administration of the medical marijuana~~  
14 ~~program registry. These independent contractors are not state employees~~  
15 ~~for the purposes of state employee benefits, including public employees'~~  
16 ~~retirement association benefits~~ "ACUTE PAIN" MEANS A CONDITION OR  
17 DIAGNOSIS OF PAIN, INCLUDING BUT NOT LIMITED TO ALL CONDITIONS,  
18 SYMPTOMS, AND DIAGNOSIS FOR WHICH THE PRESCRIPTION OF AN  
19 ANALGESIC NARCOTIC IS A COMMON TREATMENT METHOD OR ACCEPTED  
20 PRACTICE FOR PAIN MANAGEMENT.

21           (a.3) "AUTHORIZED EMPLOYEES OF THE STATE HEALTH AGENCY"  
22 INCLUDES INDEPENDENT CONTRACTORS OR OTHER AGENCIES WITH WHOM  
23 THE STATE HEALTH AGENCY CONTRACTS OR IS WORKING UNDER AN  
24 INTERGOVERNMENTAL AGREEMENT TO PROVIDE SERVICES RELATED TO  
25 THE ADMINISTRATION OF THE MEDICAL MARIJUANA PROGRAM REGISTRY.  
26 THESE INDEPENDENT CONTRACTORS ARE NOT STATE EMPLOYEES FOR THE

1 PURPOSES OF STATE EMPLOYEE BENEFITS, INCLUDING PUBLIC EMPLOYEES'  
2 RETIREMENT ASSOCIATION BENEFITS.

3 (a.7) "Disabling medical condition" means:

4 (I) Post-traumatic stress disorder as diagnosed by a licensed  
5 mental health provider or physician;

6 (II) AN AUTISM SPECTRUM DISORDER AS DIAGNOSED BY A  
7 LICENSED MENTAL HEALTH PROVIDER OR PHYSICIAN; AND

8 (III) ACUTE PAIN AS DIAGNOSED BY A LICENSED MENTAL HEALTH  
9 PROVIDER OR PHYSICIAN.

10 **SECTION 2. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.