HOUSE BILL NO. HB0081

Hemp extract amendments.

Sponsored by: Representative(s) McKim, Blake, Lindholm and Miller and Senator(s) Baldwin, Burns and Christensen

A BILL

for

1 AN ACT relating to public health; providing for administration of hemp extract by a parent to an adult dependent; authorizing hemp extract for treatment of an adult as determined by a physician; and providing for an effective date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 35-7-1901(a)(vi), 35-7-1902(a)(iii), (b)(iii), (v)(B), (c)(ii), (f), (g)(intro), (i) and (h) and 35-7-1903(a)(i) are amended to read:

35-7-1901. Definitions.

(a) As used in this article:
(vi) "Parent" means a parent or legal guardian of a minor or dependent adult who is responsible for the minor's person's medical care;

35-7-1902. Hemp extract registration cards.

(a) The department shall issue a hemp extract registration card to a person who:

(iii) Provides a statement to the department which is signed by a neurologist-physician licensed to practice medicine pursuant to W.S. 33-26-301 et seq. and specifies that the person suffers from intractable epilepsy, or seizure disorders and or another disorder that the physician determines may benefit from treatment with hemp extract;

(b) The department shall issue a hemp extract registration card to a parent who:

(iii) Provides the department with a statement signed by a neurologist that the minor or adult dependent
in the parent's care suffers from intractable epilepsy or seizure disorders and may benefit from treatment with hemp extract;

(v) Submits an application to the department on a form created by the department, which contains:

(B) The minor's name of the minor or adult dependent;

(c) The department shall maintain a registry of:

(ii) The names of each minor or adult dependent receiving care from a parent who is issued a hemp registration card under subsection (b) of this section.

(f) A registration card issued under subsection (a) or (b) of this section is valid for one (1) year and is renewable if, at the time of renewal, the registrant meets the requirements of subsection (a) or (b) of this section. A card issued on behalf of a minor pursuant to subsection (b) of this section remains valid after the minor reaches the age of majority until the card expires or is replaced.
by a card issued pursuant to subsection (a) of this section.

(g) The neurologist—physician who signs a statement as provided in this section shall:

(i) Keep a record of the neurologist’s every evaluation and observation of a patient who is a registrant or a minor person under a registrant’s care including the patient’s response to hemp extract; and

(h) The department shall maintain a database of records received under subsection (g) of this section. The department shall treat the records as confidential, provided that the department, with the consent of the registrant, or the registrant’s parent, may share the records with a higher education institution for the purpose of studying hemp extract if the records are redacted so that the patient cannot be identified individually.

35-7-1903. Exemption from criminal and civil penalties for the medical use of hemp extract.
(a) Notwithstanding any other provision of this chapter, an individual who possesses or uses hemp extract is not subject to the penalties described in this chapter for possession or use of the hemp extract if the individual:

(i) Possesses or uses the hemp extract only for the treatment of the individual's or the individual's minor child's intractable epilepsy or seizure disorders a registrant or a minor or adult dependent under a registrant's care as provided in this article;

Section 2. W.S. 35-7-1903(b) is repealed.

Section 3. This act is effective July 1, 2017.