

HOUSE BILL NO. 1478

Introduced by

Representatives Schneider, Beltz, Cory, Dobervich, O'Brien, M. Ruby, Steiner, Vetter

Senators Braunberger, Mathern, Piepkorn

1 A BILL for an Act to create and enact a new section to chapter 19-24.1 of the North Dakota
2 Century Code, relating to the self-certification of ~~an individual sixty-five years of age or older an~~
3 individual admitted into the hospice program for the medical use of marijuana; and to amend
4 and reenact section 19-24.1-04.1 of the North Dakota Century Code, relating to designated
5 caregivers and criminal history record check exemptions.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 19-24.1 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Qualifying patients - Senior Hospice program.**

10 In lieu of the written certification required under section 19-24.1-03, ~~an individual sixty-five~~
11 ~~years of age or older may submit to the department a form developed by the department~~
12 ~~identifying a diagnosis of a qualifying debilitating medical condition and such other information~~
13 ~~as needed to establish eligibility.~~ an individual admitted into the hospice program as defined in
14 chapter 23-17.4 may submit to the department a copy of the individual's medical records
15 identifying a designation of being admitted into the hospice program. The department may use
16 ~~the form~~ medical records in place of a written certification to approve or deny the application
17 under section 19-24.1-05, ~~or require additional information including medical documentation or~~
18 ~~medical records.~~ The department shall issue a registry identification card within ~~thirtyfourteen~~
19 calendar days of approving an application under this section. The department shall waive the
20 registration fee for a qualifying patient applicant admitted into the hospice program.

21 **SECTION 2. AMENDMENT.** Section 19-24.1-04.1 of the North Dakota Century Code is
22 amended and reenacted as follows:

1 **19-24.1-04.1. Designated caregivers - Criminal history record check exemption.**

2 The department may waive the requirement for a registered designated caregiver to obtain
3 a criminal history record check under section 12-60-24 if the registered designated caregiver is
4 solely assisting a registered qualifying patient whose debilitating medical condition is a terminal
5 illness or if the registered designated caregiver is solely assisting a registered qualifying patient
6 who is admitted into the hospice program. A registered designated caregiver seeking a waiver
7 under this section shall provide the department with a written statement attesting the caregiver
8 has not been convicted of a drug-related misdemeanor offense within the five years preceding
9 the date of application or a felony offense. If a waiver is issued under this section, the registered
10 designated caregiver's registry identification card is valid for a period not to exceed six months.