

Good morning Madam Chair Lee and members of the Human Services Committee. My name is Jason Wahl, the Director of the Division of Medical Marijuana within the Department of Health. I am here to support and provide information on House Bill 1283 related to changing definitions of a written certification and health care provider within the Medical Marijuana chapter of state law.

The bill would add physician assistants to the definition of health care provider. We do support the addition of physician assistants to the list of individuals authorized to complete a written certification.

The bill would modify the definition of written certification by removing language currently requiring a health care provider to state in their professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana. We do support this change to the law as we have heard from the medical community this requirement may be limiting the number of health care providers willing to complete a written certification.

With the current language in House Bill 1283, there are other sections under NDCC Chapter 19-24.1 that require amendments to provide consistency. For example, NDCC Section 19-24.1-10, Subsection 7 references a health care provider no longer believing a patient will receive a benefit and is not amended under House Bill 1283. This would cause a conflict in statute. We would be

willing to work with our legal counsel or Legislative Council to introduce an amendment to the bill to address all necessary revisions for the Committee's consideration.

Based on the changes to the written certification definition and information we are aware of related to veterans, we would ask the Committee to consider an additional change for the benefit of veterans. In some cases, a veterans only health care provider is the federal Veterans Affairs health care facility. Veterans receiving their care at such a facility will not have the ability to have this federal health care provider complete a written certification as marijuana is still illegal under federal law. This would require veterans to attempt to establish care outside the federal health care system to have a written certification form completed. Some veterans may not have the financial resources or ability to do this.

Making a change to the medical marijuana laws to allow the Department of Health to accept medical records of veterans in lieu of a written certification may be beneficial for veterans. According to the *VA National Suicide Data Report 2005-2016* (dated September 2018), there were more than 6,000 veteran suicides each year from 2008 to 2016. In 2016, the suicide rate was 1.5 times greater for veterans than for non-veteran adults (after adjusting for age and gender). The state of Illinois has a similar provision to allow for VA medical records to be submitted instead of a physician certification.

This concludes my testimony. I am happy to answer any questions you may have.