

HOUSE BILL 283

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Pamelya Herndon

AN ACT

RELATING TO HEALTH CARE FACILITIES; PROVIDING FOR THE
RESTRICTED USE OF MEDICAL CANNABIS IN HEALTH CARE FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Lynn and Erin
Compassionate Use Act is enacted to read:

"[NEW MATERIAL] MEDICAL USE OF CANNABIS IN HEALTH CARE
FACILITIES.--

A. A health care facility shall permit a qualified
patient to use medical cannabis within the health care
facility; provided that the:

(1) qualified patient shall be prohibited from
smoking or vaping cannabis within the health care facility; and

(2) health care facility shall reasonably
restrict the manner in which a qualified patient stores and

1 uses the medical cannabis to allow for the safe operation of
2 the health care facility. Reasonable restrictions shall
3 include requiring medical cannabis to be stored in a locked
4 container.

5 B. Each health care facility shall develop and
6 disseminate written guidelines for the use and storage of
7 medical cannabis within the health care facility.

8 C. A health care facility may suspend compliance
9 with this section if the United States department of justice or
10 the federal centers for medicare and medicaid services:

11 (1) initiates enforcement action against the
12 health care facility related to the facility's compliance with
13 the medical cannabis program; or

14 (2) issues a rule or otherwise provides
15 notification to the health care facility that expressly
16 prohibits the use of medical cannabis in the health care
17 facility.

18 D. For the purposes of this section, "health care
19 facility" means a hospital, an outpatient facility, a
20 diagnostic and treatment center, a rehabilitation center, a
21 freestanding hospice or other similar facility at which medical
22 care is provided. "Health care facility" does not include a
23 facility that primarily provides rehabilitation and treatment
24 to persons recovering from a substance use disorder."