HOUSE BILL

58TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2027

INTRODUCED BY

DISCUSSION DRAFT

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

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

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

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

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

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

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

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