

Good morning Chairman Weisz 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 provide information related to House Bill 1283 and identify a concern the Department of Health has with a proposed change to language within the Medical Marijuana chapter of state law.

The bill would make changes to the bona fide provider-patient relationship and the written certification form. While we weren't requested to provide a fiscal note for the proposed changes, we believe the changes would not require a significant expenditure to have the information technology system updated.

Section 5 of the bill would establish a new section of state law. The Department of Health opposes the addition of this section to state law for the following reasons:

- The requirement for the Department to establish a written certification already exists under NDCC Section 19-24.1-01, Subsection 40 and this bill does not change this language.
- The requirement to make the written certification form available to physicians and members of the public creates concerns and raises risks of fraudulent forms being submitted to the Department. The form is currently available for completion as part of our online application

process. The form does not exist in a paper format. Having the form available online helps us track information, conduct verification work in a more efficient manner, assists in maintaining the integrity of the program, and provides assurance to the medical community that a health care provider's name and license number is not being inappropriately used. Providing the form to the public would increase costs to the program and increase risks for fraudulent forms.

- The language that states "a written certification may not be made except in the course of a bona fide provider-patient relationship" currently exists under NDCC Section 19-24.1-01, Subsection 40. This bill would remove the language from Subsection 40. We believe that language should remain as it currently is written.

I would like to point out for the Committee's attention that if this bill were to be approved, a change to the use of the term 'physicians' under Section 5 (line 3, page 4) to 'health care provider' should be made to reflect other terminology use in state law.

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