

July 27, 2021

MEDICAL MARIJUANA INFORMATION BULLETIN 2021-05

Subject: 2021 Passed Legislation and OMMP Rulemaking

During the 2021 Legislation session a few bills passed that make changes to the Oregon Medical Marijuana Program (OMMP). A summary of the bills and what changes are in store for OMMP is provided below.

Rules Advisory Committee Information

OMMP will hold two rules advisory committee (RAC) meetings in August for bills that affect Division 8 Medical Marijuana rules. The RAC meetings will be held on August 3 and 23, 2021, both from 1:00 pm – 4:00 pm. A separate RAC to review rule changes in Division 7 and 64, Marijuana Testing rules, will be held at a date to be determined. Information on the meetings will be posted on the [OMMP Rules webpage](#).

Summary of 2021 Passed Legislation

[HB 3369](#)

This bill amends the definition of “Attending Physician” to “Attending Provider” and expands who may recommend medical marijuana for a patient. Starting January 1, 2022, the following providers may recommend medical marijuana to their patients:

- A physician licensed under ORS chapter 677;
- A physician assistant licensed under ORS 677.505 to 677.525;
- A nurse practitioner licensed under ORS 678.375 to 678.390;
- A clinical nurse specialist licensed under ORS 678.370 and 678.372;
- A certified registered nurse anesthetist as defined in ORS 678.245; or
- A naturopathic physician licensed under ORS chapter 685.

This bill makes changes to Division 8.

[SB 307](#)

This bill waives the application and renewal fee for a patient if they submit proof of having a US Department of Veterans Affairs total disability rating of at least 50% and received a discharge other than dishonorable. This change in fee applies to applications submitted to OMMP on or after January 1, 2022. This bill makes changes to Division 8

[SB 408](#)

This bill moves the authority to set concentration limits for marijuana items from OHA to OLCC. Concentration limit rules are currently found in Division 7.

HB 3000

While this bill makes many changes that affect hemp and artificially derived intoxicating cannabinoids, the specific change that OMMP will address deals with testing. This bill changes parameters of potency testing for marijuana items from THC to “Adult use cannabinoid”. Adult use cannabinoid items include THC, THCa that are artificially or naturally derived, Delta-8 THC, Delta-9 THC, and any artificially derived intoxicating cannabinoid. Most changes from this bill will be made in Division 7 and 64.

SB 96

This bill expands OHA’s authority over testing to include establishing testing standards for industrial hemp-derived vapor items. Most changes from this bill will be made in Division 7 and 64.

More information about the Oregon Medical Marijuana Program may be found at healthoregon.org/ommp.