

More attending providers can recommend medical marijuana to their patients starting January 1, 2022

PORTLAND, Ore.—More attending health care providers who have the primary responsibility for the care and treatment of a person diagnosed with a debilitating medical condition will be able to recommend medical marijuana to a patient starting Jan. 1.

In May, the Oregon Legislature passed [HB 3369](#), which expanded the definition of attending provider under the rules for the Oregon Medical Marijuana Program (OMMP). After the new year, attending providers allowed to recommend medical marijuana will now include:

- Doctor of Medicine (MD) or Doctor of Osteopathy (DO), licensed under ORS chapter 677.
- Physician Assistant licensed under ORS 677.505 to 677.525.
- Nurse Practitioner licensed under ORS 678.375 to 678.390.
- Clinical Nurse Specialist licensed under ORS 678.370 and 678.372.
- Certified Registered Nurse Anesthetist as defined in ORS 678.245.
- Naturopathic Physician licensed under ORS chapter 685.

Having "primary responsibility" means the attending provider has one of the following roles:

- Provides primary health care to the patient.
- Provides medical specialty care and treatment to the patient.
- Is a consultant who has been asked to examine and treat the patient by the patient's primary care physician licensed under ORS chapter 677, the patient's physician assistant licensed under ORS chapter 677, or the patient's nurse practitioner licensed under ORS chapter 678.

The provider must also have reviewed a patient's medical records at the patient's request and conducted a thorough physical examination of the patient; provided or planned follow-up care; and documented these activities in the patient's medical record.

To recommend medical marijuana in Oregon, an attending provider must evaluate the patient's health history, perform a physical examination, and determine that the use of marijuana may mitigate the symptoms or effects of the patient's debilitating medical condition. Qualifying conditions include:

- Cancer, glaucoma, a degenerative or pervasive neurological condition, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, or a side effect related to the treatment of those medical conditions.
- A medical condition or treatment for a medical condition that produces, for a specific patient, one or more of the following:
 - Cachexia;
 - Severe pain;
 - Severe nausea;
 - Seizures, including but not limited to seizures caused by epilepsy; or
 - Persistent muscle spasms, including but not limited to spasms caused by multiple sclerosis.
- Post-traumatic stress disorder.

An Attending Provider Statement (APS) form must be signed by the attending provider attesting that the patient has been diagnosed with a debilitating medical condition and that the medical use of marijuana may mitigate the symptoms or effect of the individual's debilitating medical condition. As an alternate, the attending provider may supply the patient with relevant portions of the patient's medical records containing the same information on the APS.

The patient is responsible for submitting the APS, or relevant medical records, with other required application documents, to the OMMP. The APS or relevant medical documents must be submitted within 90 days of the attending provider's signature when a patient applies for the first time. When a patient is renewing with OMMP, application material must be submitted within 90 days of their registration card expiration date and the APS must be signed within that 90-day period.

For the OMMP to accept the APS from any of the providers listed above, other than a MD and DO, the APS or relevant medical records must be dated on or after Jan. 1, 2022. An updated APS form for attending providers will be available in mid-December 2021 on our [form's page](#).

For more information, visit the OMMP website at healthoregon.org/ommp .
Information specific to attending providers is under the [Attending Provider](#) link. Join the OMMP listserv to get program updates by clicking this link: [Sign up for General OMMP updates](#)