

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1478
(Representatives Schneider, Beltz, Cory, Dobervich, O'Brien, M. Ruby, Steiner, Vetter)
(Senators Braunberger, Mathern, Piepkorn)

AN ACT to create and enact a new section to chapter 19-24.1 of the North Dakota Century Code, relating to the self-certification of an individual admitted into the hospice program for the medical use of marijuana; and to amend and reenact section 19-24.1-04.1 of the North Dakota Century Code, relating to designated caregivers and criminal history record check exemptions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 19-24.1 of the North Dakota Century Code is created and enacted as follows:

Qualifying patients - Hospice program.

In lieu of the written certification required under section 19-24.1-03, an individual admitted into the hospice program as defined in chapter 23-17.4 may submit to the department a copy of the individual's medical records identifying a designation of being admitted into the hospice program. The department may use medical records in place of a written certification to approve or deny the application under section 19-24.1-05. The department shall issue a registry identification card within fourteen calendar days of approving an application under this section. The department shall waive the registration fee for a qualifying patient applicant admitted into the hospice program.

SECTION 2. AMENDMENT. Section 19-24.1-04.1 of the North Dakota Century Code is amended and reenacted as follows:

19-24.1-04.1. Designated caregivers - Criminal history record check exemption.

The department may waive the requirement for a registered designated caregiver to obtain a criminal history record check under section 12-60-24 if the registered designated caregiver is solely assisting a registered qualifying patient whose debilitating medical condition is a terminal illness or if the registered designated caregiver is solely assisting a registered qualifying patient who is admitted into the hospice program. A registered designated caregiver seeking a waiver under this section shall provide the department with a written statement attesting the caregiver has not been convicted of a drug-related misdemeanor offense within the five years preceding the date of application or a felony offense. If a waiver is issued under this section, the registered designated caregiver's registry identification card is valid for a period not to exceed six months.

Dennis E. Abman
Speaker of the House

Tammy L. Thoresen
President of the Senate

Bull J. Reek
Chief Clerk of the House

David M. Meyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1478.

House Vote: Yeas 86 Nays 6 Absent 2

Senate Vote: Yeas 45 Nays 0 Absent 2

Bull J. Reek
Chief Clerk of the House

Received by the Governor at 10:08 AM. on March 21, 2023.

Approved at 10:16 AM. on March 23, 2023.

Doug Burgum
Governor

Filed in this office this 23rd day of March, 2023,

at 11:23 o'clock A. M.

Michael Howe
Secretary of State