

115TH CONGRESS
2D SESSION

H. R. 7130

To provide for a Department of Veterans Affairs policy on medicinal cannabis,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2018

Mr. MOULTON (for himself, Mr. GAETZ, Mr. CRIST, and Mr. CORREA) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To provide for a Department of Veterans Affairs policy on
medicinal cannabis, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Vet-
5 erans Affairs Policy for Medicinal Cannabis Use Act of
6 2018”.

7 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS POLICY ON**
8 **MEDICINAL CANNABIS.**

9 (a) POLICY.—The policy of the Department of Vet-
10 erans Affairs on medicinal cannabis is as follows:

1 (1) Veterans are encouraged to discuss their
2 medicinal cannabis use with their health care pro-
3 viders without fear of negative repercussions.

4 (2) Veterans shall not be denied any benefit
5 under the laws administered by the Secretary of Vet-
6 erans Affairs by reason of cannabis use.

7 (3) The participation of a veteran in a State-
8 legal marijuana program shall not affect the vet-
9 eran's eligibility for care and services furnished by
10 the Department of Veterans Affairs.

11 (4) The use or possession of cannabis is prohib-
12 ited on all Department property and in all Depart-
13 ment facilities pursuant to Federal law, which ap-
14 plies at such locations and not the laws of the State
15 where the property or facility is located.

16 (5) Department medical providers shall honor
17 the desires of their patients to seek alternative forms
18 of treatment.

19 (6) The Department of Veterans Affairs ac-
20 knowledges medicinal cannabis use may be a legiti-
21 mate alternative treatment and a Department med-
22 ical provider will not recommend a veteran for drug
23 addiction treatment solely by reason of medicinal
24 cannabis use.

1 (7) Department medical providers are permitted
2 to discuss cannabis use as part of comprehensive
3 care planning and may adjust treatment plans as
4 necessary. Treatment adjustment should be relevant
5 and a veteran should have the freedom to seek a sec-
6 ond opinion if the veteran feels the change is not
7 fair.

8 (8) Department medical providers will annotate
9 a veteran's cannabis use in the medical record of the
10 veteran in order to have the information available in
11 treatment planning. As with all clinical information,
12 this is part of the confidential medical record and
13 protected under patient privacy and confidentiality
14 laws and regulations. Department medical providers
15 will not record that a patient has a marijuana addic-
16 tion problem in their medical record if the patient is
17 responsibly using medicinal cannabis.

18 (9) Department clinicians shall follow Federal
19 laws and regulations relating to medicinal cannabis.

20 (10) Department medical providers may not be
21 fired nor have any other adverse personnel action
22 taken against them for discussing cannabis use with
23 their patients.

1 (11) Department scientists may conduct re-
2 search on cannabis benefits and risks under regu-
3 latory approval.

4 (12) Department medical providers may not
5 dissuade participation in non-Department medicinal
6 cannabis research.

7 (b) DISSEMINATION OF POLICY.—The Secretary of
8 Veterans Affairs shall disseminate the policy under sub-
9 section (a) widely, including by displaying such policy
10 prominently in all Department of Veterans Affairs hos-
11 pitals and clinics and online.

12 (c) REPEAL IN EVENT OF FEDERAL LEGALIZA-
13 TION.—If the use of medicinal cannabis becomes legal
14 under Federal law, the requirement under subsection
15 (a)(4) shall be repealed.

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