

CHAPTER 47
HB 163-FN - FINAL VERSION

8Apr2021... 0238h

2021 SESSION

21-0012
04/05

HOUSE BILL ***163-FN***

AN ACT relative to cannabis use during pregnancy.

SPONSORS: Rep. Marsh, Carr. 8; Rep. Abrami, Rock. 19; Rep. Rung, Hills. 21; Rep. Crawford,
Carr. 4; Rep. Nelson, Carr. 5; Rep. Knirk, Carr. 3; Rep. Deshaies, Carr. 6

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires alternative treatment centers to prepare information regarding the risk of cannabis use during pregnancy. The bill also requires the commissioner of the department of health and human services to prepare a brochure relative to the risk of cannabis use during pregnancy and while breastfeeding.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to cannabis use during pregnancy.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 47:1 Statement of Intent.

2 The general court recognizes that the United States Surgeon General has issued a major health
3 advisory on the risks of marijuana use in adolescence and during pregnancy. The Surgeon General’s
4 warning adheres to the generally accepted medical and psychiatric definition of an adolescent as
5 ranging in age from 12-25 years old. The advisory reads in part:

6 “I, Surgeon General VADM Jerome Adams, am emphasizing the importance of protecting our
7 Nation from the health risks of marijuana use in adolescence and during pregnancy. Recent
8 increases in access to marijuana and in its potency, along with misperceptions of safety of marijuana
9 endanger our most precious resource, our nation’s youth.”

10 “No amount of marijuana use during pregnancy or adolescence is known to be safe. Until and
11 unless more is known about the long-term impact, the safest choice for pregnant women and
12 adolescents is not to use marijuana.”

13 “The human brain continues to develop from before birth into the mid-20s and is vulnerable to
14 the effects of addictive substances.”

15 “Pregnant women and youth--and those who love them--need the facts and resources to support
16 healthy decisions. It is critical to educate women and youth, as well as family members, school
17 officials, state and local leaders, and health professionals, about the risks of marijuana, particularly
18 as more states contemplate legalization.”

19 “Marijuana available in dispensaries in some states has average concentrations of THC between
20 17.7% and 23.2%. Concentrated products, commonly known as dabs or waxes, are far more widely
21 available to recreational users today and may contain between 23.7% and 75.9% THC.”

22 “The risks of physical dependence, addiction, and other negative consequences increase with
23 exposure to high concentrations of THC and the younger the age of initiation. Higher doses of THC
24 are more likely to produce anxiety, agitation, paranoia, and psychosis.”

25 “Marijuana’s increasingly widespread availability in multiple and highly potent forms, coupled
26 with a false and dangerous perception of safety among youth, merits a nationwide call to action.”

27 Therefore the general court hereby addresses these concerns.

28 47:2 New Paragraph; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-
29 X:1 by inserting after paragraph XV the following new paragraph:

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1 XV-a. “Use in adolescence” means the therapeutic use of cannabis by any person whose age
2 is within the generally accepted medical and psychiatric definition of an adolescent as ranging in age
3 from 12-25 years old, as well as by individuals younger in age.

4 47:3 New Paragraph; Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend
5 RSA 126-X:6 by inserting after paragraph V the following new paragraph:

6 VI. The department shall adopt rules, pursuant to RSA 541-A, to document that counseling
7 has been provided by the certifying provider to all women of child-bearing age and adolescents 25
8 years of age or less, and the parent or guardian of a patient less than age 18, about the risks of
9 cannabis use in adolescence, during pregnancy, and while breastfeeding, prior to issuing or reissuing
10 a therapeutic cannabis card to such individuals.

11 47:4 New Subparagraphs; Use of Cannabis for Therapeutic Purposes; Alternative Treatment
12 Centers; Requirements. Amend RSA 126-X:8, XVI(c) by inserting after subparagraph (6) the
13 following new subparagraphs:

14 (7) Information about the risks of cannabis use during pregnancy and while
15 breastfeeding, as outlined by the therapeutic cannabis medical oversight board. Such information
16 shall include the posting of an informational poster regarding the risks of cannabis use during
17 pregnancy and while breastfeeding in a conspicuous location at the alternative treatment center’s
18 dispensary location.

19 (8) Information regarding safe storage and disposal of cannabis and paraphernalia to
20 prevent accidental poisonings, including the contact information for the Northern New England
21 Poison Control Center.

22 (9) Information about the risks of cannabis use in adolescence as outlined by the
23 therapeutic cannabis medical oversight board. Such information shall include the posting of an
24 informational poster on the risks of cannabis use in adolescence in a conspicuous location at the
25 alternative treatment center’s dispensary location.

26 47:5 New Paragraph; Use of Cannabis for Therapeutic Purposes; Duties. Amend RSA 132:2 by
27 inserting after paragraph XI the following new paragraph:

28 XII. Prepare, in conjunction with the bureau of alcohol and drug services and the division of
29 public health services, a brochure and a poster which provides information relative to the risks of
30 cannabis use during pregnancy, adolescence, and while breastfeeding, which shall be posted and
31 available to the public in all therapeutic cannabis dispensary locations pursuant to RSA 126-X:8.

32 47:6 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 25, 2021
Effective Date: July 24, 2021

