

116TH CONGRESS  
1ST SESSION

# H. R. 2675

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

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2019

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

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## 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 2019”.

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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