

Drug Policy Reform Proposals
New Mexico State Legislature
2003

The Lynn Pierson Compassionate Use Act - HB 242 (Sponsor: Representative Ken Martinez, D-Cibola, McKinley and San Juan Counties)

The bill, called the Lynn Pierson Compassionate Use Act, would allow qualified patients suffering from certain serious illnesses – such as cancer, HIV/AIDS, and epilepsy – to use marijuana for relief of their symptoms. The law would require a patient to receive a recommendation for cannabis (i.e., medical marijuana) from his/her doctor. The patient could then apply to participate in the program through the Department of Health, and an independent review board of doctors would consider each application. Upon approval by the board, the patient would receive a registry identification card from the New Mexico Department of Health, certifying that he/she was a participant in the Lynn Pierson program. By registering in this way, the patient and the patient's primary caregiver would be allowed to possess only enough cannabis to treat the patient's illness. Only physicians who already can prescribe controlled substances could recommend patients for the program.

The new law would not allow medical marijuana use in public, and would penalize lying to a law enforcement officer regarding the medical use of marijuana. The Department of Health would keep a registry of participants so that law enforcement officers could confirm the validity of a patient's registration card. Patients under 18 years old could only participate with parental consent.

The Substance Abuse and Crime Prevention Act - SB 365 (Sponsor: Senator Manny Aragon, D-Bernalillo and Valencia Counties)

This bill, called the Substance Abuse and Crime Prevention Act, would provide for supervised probation and appropriate community-based treatment, instead of incarceration, for first- and second-time non-violent drug possession offenders. Additionally, it would expand and strengthen New Mexico's substance abuse treatment system statewide by requiring the Department of Health to allocate treatment resources based on the recently completed 2002 Behavioral Health Needs and Gaps in New Mexico Report.