

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1508

By: Hicks

6 AS INTRODUCED

7 An Act relating to end-of-life care; creating the
8 Compassionate Access to Medical Marijuana Act;
9 proving short title; defining terms; requiring health
10 care facilities to permit medical marijuana use by
11 certain patients; imposing certain duties on health
12 care facilities; providing certain exception;
13 requiring certain compliance with medication
14 requirements; providing certain construction;
15 granting certain licensure protection; authorizing
16 health care facilities to suspend certain compliance
17 under specified conditions; providing for
18 codification; and providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3093 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. This section shall be known and may be cited as the
24 "Compassionate Access to Medical Marijuana Act".

25 B. As used in this section:

26 1. "Health care facility" means a facility licensed by the
27 State Department of Health, but shall not include a hospital that is
28 owned or operated by the state or a state agency, the federal

1 government, a federally recognized Indian tribe, or the Indian
2 Health Service;

3 2. "Medical marijuana" means medical marijuana or medical
4 marijuana products used in compliance with Section 420 et seq. of
5 Title 63 of the Oklahoma Statutes; and

6 3. "Terminally ill" means a medical condition resulting in a
7 prognosis of life of one (1) year or less, if the disease follows
8 its natural course.

9 C. A health care facility shall permit the use of medical
10 marijuana by a patient who is terminally ill and who is a licensed
11 patient as defined in Section 427.2 of Title 63 of the Oklahoma
12 Statutes and shall do all of the following:

13 1. Prohibit smoking or vaping as methods to use medical
14 marijuana;

15 2. Include the use of medical marijuana within the patient's
16 medical records;

17 3. Require the patient to provide a copy of the patient's valid
18 medical marijuana patient license issued by the Oklahoma Medical
19 Marijuana Authority;

20 4. Reasonably restrict the manner in which a patient stores and
21 uses medical marijuana, including requiring the medical marijuana to
22 be stored in a locked container, to ensure the safety of other
23 patients, guests, and employees of the health care facility,

1 compliance with other state laws, and the safe operations of the
2 health care facility; and

3 5. Develop and disseminate written guidelines for the use of
4 medical marijuana within the health care facility pursuant to this
5 section.

6 D. This section does not apply to a patient receiving emergency
7 services and care or to the emergency department of a health care
8 facility while the patient is receiving emergency services and care.

9 E. Notwithstanding the classification of medical marijuana as a
10 Schedule I drug and any other law, a health care facility shall
11 comply with drug and medication requirements applicable to Schedule
12 II, III, and IV drugs and shall be subject to enforcement actions by
13 the State Department of Health.

14 F. Nothing in this section shall be construed to:

15 1. Require a health care facility to provide a patient with a
16 recommendation to use medical marijuana under Section 420 et seq. of
17 Title 63 of the Oklahoma Statutes or include medical marijuana in a
18 patient's discharge plan; or

19 2. Reduce, expand, or otherwise modify the laws governing the
20 cultivation, possession, sale, or use of marijuana that may be
21 otherwise applicable, including, but not limited to, Section 420 et
22 seq. of Title 63 of the Oklahoma Statutes.

1 G. Compliance with this section shall not be a condition for
2 obtaining, retaining, or renewing a license as a health care
3 facility.

4 H. If a federal agency takes one of the following actions, a
5 health care facility may suspend compliance with this section until
6 the federal agency notifies the health care facility that it may
7 resume permitting the use of medical marijuana within the facility:

8 1. A federal agency initiates an enforcement action against a
9 health care facility related to the facility's compliance with this
10 section; and

11 2. A federal agency issues a rule or otherwise provides
12 notification to the health care facility that expressly prohibits
13 the use of medical marijuana in health care facilities or otherwise
14 prohibits compliance with this section.

15 SECTION 2. This act shall become effective November 1, 2026.

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