

181 Section 26-61a-102.

182 ~~[(v)]~~ (vii) "Qualified medical provider" means the same as that term is defined in
183 Section 26-61a-102.

184 (b) In any child welfare proceeding in which the court makes a finding, determination,
185 or otherwise considers an individual's possession or use of medical cannabis, a cannabis
186 product, or a medical cannabis device, the court may not consider or treat the individual's
187 possession or use any differently than the lawful possession or use of any prescribed controlled
188 substance if the individual's use or possession complies with:

- 189 (i) Title 4, Chapter 41a, Cannabis Production Establishments;
- 190 (ii) the individual's possession or use complies with Subsection 58-37-3.7(2) or (3); or
- 191 (iii) (A) the individual's possession or use complies with Title 26, Chapter 61a, Utah
192 Medical Cannabis Act; and

193 (B) the individual reasonably complies with the dosing parameters determined by the
194 individual's qualified medical provider or through a consultation described in Subsection
195 26-61a-502(4) or (5).

196 (c) A parent's or guardian's use of cannabis or a cannabis product is not abuse or
197 neglect of a child under Section 78A-6-105 if:

- 198 (i) there is no evidence showing that:
- 199 (A) the child is harmed because of the child's inhalation or ingestion of cannabis, or
200 because of cannabis being introduced to the child's body in another manner; or
- 201 (B) the child is at an unreasonable risk of harm because of chronic inhalation or
202 ingestion of cannabis or chronic introduction of cannabis to the child's body in another manner;

203 ~~H→ [or] and ←H~~

204 (ii) there is no evidence showing a nexus between the parent's or guardian's use of
205 cannabis or a cannabis product and behavior that would separately constitute abuse or neglect
206 of the child.

207 ~~[(c)]~~ (d) A parent's or guardian's use of medical cannabis or a cannabis product is not
208 ~~[abuse or neglect of a child under Section 78A-6-105, nor is it]~~ contrary to the best interests of
209 a child~~;~~ if:

210 (i) ~~H→ [f] (A) [f] ←H~~ for a medical cannabis cardholder after January 1, 2021, the parent's
210a or
211 guardian's possession or use complies with Title 26, Chapter 61a, Utah Medical Cannabis Act,

212 and there is no evidence that the parent's or guardian's use of medical cannabis unreasonably
213 deviates from the dosing parameters determined by the parent's or guardian's qualified medical
214 provider or through a consultation described in Subsection 26-61a-502(4) or (5); or

215 ~~Ĥ→ [f] (B) [†(iii)] ←Ĥ~~ before January 1, 2021, the parent's or guardian's possession or use
215a complies

216 with Subsection 58-37-3.7(2) or (3)~~[-and]~~ ~~Ĥ→ [z] ; ←Ĥ~~

217 ~~[(ii) (A) there is no evidence showing that the child has inhaled, ingested, or otherwise~~
218 ~~had cannabis introduced to the child's body; or]~~

218a ~~Ĥ→~~ **(ii) there is no evidence showing that:**

218b **(A) the child is harmed because of the child's inhalation or ingestion of cannabis, or**
218c **because of cannabis being introduced to the child's body in another manner; or**

218d **(B) the child is at an unreasonable risk of harm because of chronic inhalation or**
218e **ingestion of cannabis or chronic introduction of cannabis to the child's body in another**
218f **manner; and ←Ĥ**

219 ~~[(B)]~~ ~~Ĥ→~~ **[f] (iii) there is no evidence showing a nexus between the parent's or**
219a **guardian's use of**

220 **medical cannabis or a cannabis product and behavior that would separately constitute abuse**
220a **or**

221 **neglect of the child. [†] ←Ĥ**