

The Family Integrity and Medical Cannabis Patient Protection Act

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Purpose: To ensure that Iowans lawfully participating in the state's medical cannabis program are not penalized in child-custody, foster-care, or adoption proceedings and to provide clear statutory guidance protecting family integrity under Iowa Code §124E.

Section 1. Short Title

This Act shall be cited as the **“Family Integrity and Medical Cannabis Patient Protection Act.”**

Section 2. Legislative Findings

The Iowa General Assembly finds that: 1. Iowa Code §124E establishes the Iowa Medical Cannabidiol Program, providing regulated access to medical cannabis products for patients diagnosed with qualifying medical conditions under licensed medical supervision. 2. Despite lawful participation, some Iowans have faced discrimination in family and juvenile court proceedings, including loss of custody or denial of foster or kinship placement. 3. Existing child-welfare policy does not adequately distinguish lawful medical-cannabis use from unlawful substance use, resulting in inconsistent enforcement across counties. 4. Medical use of cannabis under §124E does not constitute neglect, abuse, or endangerment unless accompanied by demonstrable impairment that jeopardizes a child's safety. 5. Protecting the rights of lawful medical-cannabis patients preserves Iowa's constitutional commitment to family integrity, equal protection, and due process.

Section 3. Definitions

For the purposes of this Act: - **“Medical cannabis patient”** means an individual registered and authorized under Iowa Code §124E to possess or administer medical cannabidiol.

- **“Impairment”** means observable and documentable behavioral or cognitive dysfunction that endangers a child's health or safety, established through credible medical, psychological, or law-enforcement evidence.

- **“Family integrity”** means the fundamental right of parents and legal guardians to the care, custody, and control of their children, as protected under Iowa law and the U.S. Constitution.

Section 4. Patient Rights and Family Protections

1. Lawful participation in the Iowa Medical Cannabidiol Program shall not, by itself, constitute evidence of child abuse, neglect, or endangerment.
 2. No custody, foster-care, guardianship, or adoption determination shall be denied, delayed, or revoked based solely on lawful patient status or the presence of THC metabolites without corroborated evidence of impairment.
 3. Newborn or infant toxicology results alone shall not trigger mandatory child-welfare investigations without additional medical findings of harm or neglect.
 4. A lawful medical-cannabis patient shall not be compelled to discontinue treatment as a condition of maintaining or regaining custody.
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Section 5. Perinatal and Postnatal Care Protections

1. Pregnant and breastfeeding patients registered under Iowa Code §124E shall not be presumed unfit or negligent for lawful medical use consistent with their physician's guidance.
 2. The Iowa Department of Health and Human Services (HHS) shall adopt evidence-based, non-punitive care protocols for healthcare providers and ensure patient confidentiality in all maternal and infant health settings.
 3. Hospitals and birthing centers shall not refer patients to HHS or law enforcement solely for positive THC screening when the patient is lawfully registered under §124E.
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Section 6. Administrative Responsibilities

1. Iowa HHS shall update internal policy and administrative code to affirm that lawful medical-cannabis participation does not constitute "illegal drug use" within the meaning of Iowa child-welfare law.
 2. HHS shall implement annual training for child-welfare, social-work, and healthcare staff addressing medical-cannabis patient rights and confidentiality.
 3. The Department shall publish an annual report to the General Assembly summarizing compliance efforts and identifying any cases in which medical-cannabis status affected custody or placement decisions.
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Section 7. Judicial and Law Enforcement Guidance

1. The Iowa Supreme Court is encouraged to issue an administrative order or advisory opinion clarifying that lawful participation under §124E does not create a rebuttable presumption of unfitness or neglect in juvenile or family proceedings.
 2. Law-enforcement agencies and prosecutors shall receive training distinguishing lawful medical-cannabis activity from illegal conduct under Iowa Code Chapter 124.
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Section 8. Enforcement and Confidentiality

1. All records pertaining to a patient's participation in the medical-cannabis program shall remain confidential and may only be disclosed under existing statutory exemptions or by patient consent.
 2. Any violation of confidentiality provisions under this section shall constitute a civil offense, subject to administrative penalties.
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Section 9. Effective Date

This Act shall take effect immediately upon enactment and shall apply to all ongoing and future custody, foster-care, and adoption proceedings within the State of Iowa.

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