

House Bill 65 (AS PASSED HOUSE AND SENATE)

By: Representatives Peake of the 141<sup>st</sup>, Gravley of the 67<sup>th</sup>, Powell of the 32<sup>nd</sup>, Clark of the 98<sup>th</sup>, Battles of the 15<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to the Department of Public Health, so as to provide  
3 for the creation of the Joint Study Commission on Low THC Medical Oil Access; to provide  
4 for an automatic repealer; to provide for recommendations by the Georgia Composite  
5 Medical Board on additional conditions that may be treated by low THC oil; to revise and  
6 provide for defined terms in connection to low THC oil; to provide for related matters; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to  
11 general provisions relative to the Department of Public Health, is amended by adding a new  
12 Code section to read as follows:

13 "31-2A-19.

14 (a) The Joint Study Commission on Low THC Medical Oil Access is hereby created. The  
15 commission shall study the in-state access of medical cannabis and low THC oil, including,  
16 but not limited to, the security and control of all aspects of the process from acquisition and  
17 planting of seeds to final destruction of any unused portion of the plant; quality control of  
18 all aspects of the manufacturing process, including, but not limited to, product labeling and  
19 independent testing for purity and safety; and all aspects of dispensing the final product,  
20 including, but not limited to, security, competency of the dispensing staff, training on  
21 dosing, and proper delivery methods. The commission shall study and identify how to  
22 ensure proper security safeguards and systems for evaluating qualifications of potential  
23 licensees and implement a plan to ensure that low THC oil is readily available in all parts  
24 of the state at an affordable price to patients and caregivers who are properly registered in  
25 the state.

26 (b) The commission shall be composed of ten members as follows:

27 (1) The President of the Senate shall appoint three members of the Senate as members  
 28 of the commission and shall designate one of such members as cochairperson. The  
 29 President of the Senate shall also appoint two citizens of this state to serve as members;  
 30 and

31 (2) The Speaker of the House of Representatives shall appoint three members of the  
 32 House of Representatives as members of the commission and shall designate one of such  
 33 members as cochairperson. The Speaker of the House of Representatives shall also  
 34 appoint two citizens of this state to serve as members.

35 (c) The cochairpersons shall call all meetings of the commission. The commission may  
 36 conduct such meetings at such places and at such times as it may deem necessary or  
 37 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
 38 accomplish the objectives and purposes of this Code section.

39 (d) The legislative members of the commission shall receive the allowances provided for  
 40 in Code Section 28-1-8. Any members of the commission who are not legislators shall  
 41 receive a daily expense allowance in an amount the same as that specified in subsection (b)  
 42 of Code Section 45-7-21, as well as the mileage or transportation allowance authorized for  
 43 state employees. The allowances and expenses authorized by this Code section shall not  
 44 be received by any member of the commission for more than five days unless additional  
 45 days are authorized. Funds necessary to carry out the provisions of this Code section shall  
 46 come from funds appropriated to the Senate and the House of Representatives.

47 (e) The commission shall report its findings and recommendations, including any proposed  
 48 legislation, no later than December 31, 2018, to the Governor, Lieutenant Governor,  
 49 Speaker of the House of Representatives, and chairpersons of the Senate Health and  
 50 Human Services Committee and the House Committee on Health and Human Services.

51 (f) The commission shall stand abolished and this Code section shall stand repealed by  
 52 operation of law on December 31, 2018."

53 **SECTION 2.**

54 Said article is further amended in Code Section 31-2A-18, relating to the establishment of  
 55 the Low THC Oil Patient Registry, definitions, purpose, registration cards, semiannual  
 56 reports, and waiver forms, in subsection (a) by redesignating paragraphs (5) through (7) as  
 57 paragraphs (6) through (8), respectively, by adding a new paragraph (5), and by deleting "or"  
 58 at the end of subparagraph (M) and replacing the period with a semicolon at the end of  
 59 subparagraph (N) of, and by adding two new subparagraphs to, paragraph (3) and by adding  
 60 a new subsection to read as follows:

61 "(5) 'Intractable pain' means pain that has a cause that cannot be removed and for which,  
 62 according to generally accepted medical practice, the full range of pain management

63 modalities appropriate for the patient has been used for a period of at least six months  
64 without adequate results or with intolerable side effects."

65 "(O) Post-traumatic stress disorder resulting from direct exposure to or the witnessing  
66 of a trauma for a patient who is at least 18 years of age; or

67 (P) Intractable pain."

68 "(h) The board shall annually review the conditions included in paragraph (3) of  
69 subsection (a) of this Code section and recommend additional conditions that have been  
70 shown through medical research to be effectively treated with low THC oil. Such  
71 recommendations shall include recommended dosages for a particular condition, patient  
72 responses to treatment with respect to the particular condition, and drug interactions with  
73 other drugs commonly taken by patients with the particular condition. Such  
74 recommendations shall be made to the General Assembly no later than December 1 of each  
75 year."

76

### **SECTION 3.**

77 All laws and parts of laws in conflict with this Act are repealed.