

GREEN SHEET REDIGEST

HB 627

2018 Regular Session

Lyons

EXCEP PERSON/DEV DISABLE: Authorizes the recommendation of medical marijuana for treating certain health conditions of persons with autism

DIGEST

Recommendation of Medical Marijuana

Present law authorizes physicians who are domiciled in La. and licensed by and in good standing with the La. State Board of Medical Examiners to recommend tetrahydrocannabinols (commonly referred to as "medical marijuana"), or chemical derivatives thereof, for therapeutic use by patients clinically diagnosed as suffering from a debilitating medical condition. Defines "debilitating medical condition" to mean cancer, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, cachexia or wasting syndrome, seizure disorders, epilepsy, spasticity, Crohn's disease, muscular dystrophy, or multiple sclerosis.

Proposed law retains present law and adds the following conditions associated with autism spectrum disorder as conditions for which physicians may recommend treatment with medical marijuana:

- (1) Repetitive or self-stimulatory behavior of such severity that the physical health of the person with autism is jeopardized.
- (2) Avoidance of others or inability to communicate of such severity that the physical health of the person with autism is jeopardized.
- (3) Self-injuring behavior.
- (4) Physically aggressive or destructive behavior.

Proposed law stipulates that no physician shall recommend medical marijuana for treatment of any condition associated with autism spectrum disorder for a patient who is under the age of 18 unless the physician complies with the provisions of present law and consults with a pediatric subspecialist.

Present law provides that the Louisiana State University Agricultural Center or the Southern University Agricultural Center may conduct research on marijuana for therapeutic use if the center is licensed as a production facility pursuant to this Section. Proposed law provides that effective January 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the Senate and House committees on health and welfare, to include data and outcomes of the research conducted pursuant to present law.

Prescription of Medical Marijuana

Present law authorizes physicians who are domiciled in La. and licensed by and in good standing with the La. State Board of Medical Examiners to prescribe, rather than recommend, medical marijuana for therapeutic use by patients clinically diagnosed as suffering from a debilitating medical condition if and when the U.S. Drug Enforcement Administration reclassifies marijuana from a Schedule I drug to a Schedule II drug, thereby allowing the drug to be legally prescribed. Defines "debilitating medical condition" to mean cancer, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, cachexia or wasting syndrome, seizure disorders, epilepsy, spasticity, Crohn's disease, muscular dystrophy, or multiple sclerosis.

Proposed law retains present law and adds the following conditions associated with autism spectrum disorder as conditions for which physicians may prescribe treatment with medical marijuana if and when such prescribing becomes legal:

- (1) Repetitive or self-stimulatory behavior of such severity that the physical health of the person with autism is jeopardized.
- (2) Avoidance of others or inability to communicate of such severity that the physical health of the person with autism is jeopardized.
- (3) Self-injuring behavior.
- (4) Physically aggressive or destructive behavior.

Proposed law stipulates that no physician shall recommend medical marijuana for treatment of any condition associated with autism spectrum disorder for a patient who is under the age of 18 unless the physician complies with the provisions of present law and consults with a pediatric subspecialist.

Proposed law adds provisions authorizing the Louisiana State University Agricultural Center and the Southern University Agricultural Center to conduct research on marijuana for therapeutic use if the center is licensed as a production facility pursuant to present law and provides that effective January 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the senate and house committees on health and welfare, to include data and outcomes of the research conducted pursuant to present law.

(Amends R.S. 40:1046(A)(2) and R.S. 40:1046(A)(2) as amended and reenacted by §2 of Act No. 96 of 2016 R.S.)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Stipulate that no physician shall recommend or prescribe medical marijuana for treatment of any condition associated with autism spectrum disorder for a patient who is under the age of 18 unless the physician is a pediatric subspecialist licensed by the La. State Board of Medical Examiners and credentialed by the La. Board of Pharmacy.
2. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes with respect to the manner by which proposed law amends present law relative to prescribing of medical marijuana (§2 of Act No. 96 of 2016 R.S.).

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Clarifies that a physician recommending or prescribing medical marijuana for treatment of any condition associated with autism spectrum disorder for a patient who is under the age of 18 must comply with the provisions of present law regarding eligibility to recommend or prescribe medical marijuana and consult with a pediatric subspecialist.

2. Requires, effective January 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center to submit a report to the senate and house committees on health and welfare, to include data and outcomes of the research conducted regarding medical marijuana.
3. Makes technical changes.