
DIGEST

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HB 826 Original

2018 Regular Session

Hunter

Abstract: Requires that a minimum of 40% of the state's marijuana pharmacy licenses be granted to minority-owned businesses.

Recommendation of Medical Marijuana

Present law authorizes physicians in La. 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 as defined in present law. Proposed law retains present law.

Present law requires the La. Board of Pharmacy to develop an annual, nontransferable specialty license for a pharmacy to dispense recommended marijuana for therapeutic use, and provides that the number of such licenses granted in the state shall be limited to no more than ten licensees.

Proposed law retains present law and requires the La. Board of Pharmacy to ensure that no fewer than four such licenses are granted to minority-owned businesses that would qualify for designation as minority business enterprises in accordance with present law.

Proposed law stipulates that upon its effective date, if a sufficient number of marijuana dispensing pharmacy licenses have already been granted so as to preclude the issuance of the minimum of four licenses required by proposed law, then the La. Board of Pharmacy shall issue additional licenses above the ten-license limit provided in present law in a number sufficient to ensure that at least 40% of all such licenses are granted to minority-owned businesses.

Prescription of Medical Marijuana

Present law authorizes physicians in La. to prescribe, rather than recommend, medical marijuana for therapeutic use by patients clinically diagnosed as suffering from a debilitating medical condition as defined in present law 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. Proposed law retains present law.

Present law requires the La. Board of Pharmacy to develop an annual, nontransferable specialty license for a pharmacy to dispense prescribed marijuana for therapeutic use, and provides that the number of such licenses granted in the state shall be limited to no more than ten licensees.

Proposed law retains present law and requires the La. Board of Pharmacy to ensure that no fewer than four such licenses are granted to minority-owned businesses that would qualify for designation as minority business enterprises in accordance with present law.

Proposed law stipulates that upon its effective date, if a sufficient number of marijuana dispensing pharmacy licenses have already been granted so as to preclude the issuance of the minimum of four licenses required by proposed law, then the La. Board of Pharmacy shall issue additional licenses above the ten-license limit provided in present law in a number sufficient to ensure that at least 40% of all such licenses are granted to minority-owned businesses.

Effective Date

Effective upon signature of governor or lapse of time for gubernatorial action.

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