

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 819

2020 Regular Session

Bagley

MEDICAL MARIJUANA: Authorizes the recommendation of medical marijuana for additional conditions and allows any state-licensed physician to recommend medical marijuana

Synopsis of Senate Amendments

1. Amends present law to require that any person who dispenses medical marijuana shall comply with the reporting requirements of the prescription monitoring program established in present law.

Digest of Bill as Finally Passed by Senate

Present law authorizes physicians who are licensed by and in good standing with the La. State Board of Medical Examiners to recommend medical marijuana for therapeutic use by patients clinically diagnosed as suffering from a debilitating medical condition. Defines "debilitating medical condition" to mean cancer, glaucoma, Parkinson's disease, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, cachexia or wasting syndrome, seizure disorders, epilepsy, spasticity, severe muscle spasms, intractable pain, Crohn's disease, muscular dystrophy, multiple sclerosis, post traumatic stress disorder, and certain conditions associated with autism spectrum disorder.

Proposed law retains present law and adds all of the following to the list of debilitating medical conditions which qualify a patient for treatment with medical marijuana:

- (1) Alzheimer's disease.
- (2) Amyotrophic lateral sclerosis.
- (3) Huntington's disease.
- (4) Lewy body dementia.
- (5) Motor neuron disease.
- (6) Spinal muscular atrophy.
- (7) Chronic pain associated with fibromyalgia.
- (8) Chronic pain associated with sickle cell disease.
- (9) Any condition for which a patient is receiving hospice care or palliative care.
- (10) Any condition not otherwise specified in present law or proposed law that a physician, in his medical opinion, considers debilitating to an individual patient and is qualified through his medical education and training to treat.

Present law defines "recommend", with respect to medical marijuana, as an order from a physician licensed by and in good standing with the La. State Board of Medical Examiners and authorized by the board to recommend medical marijuana that is patient-specific and disease-specific in accordance with present law, is communicated by any means allowed by the La. Board of Pharmacy to a state-licensed pharmacist in a state-permitted dispensing pharmacy as described in present law, and is preserved on file as required by present law.

Proposed law amends the definition of "recommend" to read as follows:

"[The] opinion of any physician licensed by and in good standing with the Louisiana State Board of Medical Examiners, provided within a bona fide doctor-patient relationship, that, in the sincere judgment of the physician, therapeutic cannabis may be helpful to the patient's condition or symptoms and is communicated by any means allowed by the Louisiana Board of Pharmacy."

Proposed law repeals present law requiring that physicians recommend medical marijuana in accordance with rules and regulations promulgated by the La. State Board of Medical Examiners.

Proposed law repeals present law requiring the La. State Board of Medical Examiners to promulgate rules and regulations authorizing physicians to recommend medical marijuana to patients.

Present law requires that a person who recommends and person who dispenses medical marijuana shall review the patient's information in the database of the prescription monitoring program provided for in present law, R.S. 40:1001 et seq., prior to the recommending and dispensing of medical marijuana. Proposed law retains present law and requires that any person who dispenses medical marijuana shall comply with the reporting requirements of the prescription monitoring program.

(Amends R.S. 40:1046(A)(1), (2)(a)(iii), (3), (4), and (F); Adds R.S. 40:1046(A)(2)(a)(xvii)-(xxii); Repeals R.S. 40:1046(B))