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## DIGEST

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HB 697 Original

2022 Regular Session

Magee

**Abstract:** Revises laws establishing and providing for a regulatory system for medical marijuana.

Proposed law revises laws establishing and providing for a regulatory system for marijuana for therapeutic use, known commonly as medical marijuana, in the following ways:

- (1) Transfers duties for licensure and regulation of medical marijuana production facilities from the La. Dept. of Agriculture and Forestry (LDAF) to the La. Dept. of Health (LDH).
- (2) Transfers duties with respect to testing of medical marijuana from LDAF to the La. Board of Pharmacy (board).
- (3) Provides requirements and standards for laboratories that conduct testing of medical marijuana.
- (4) Provides for selection of marijuana production contractors by licensed producers of medical marijuana and for oversight and regulation of such contractors.

Proposed law requires the board to reserve one marijuana pharmacy permit for each of the nine public health regions of the state identified in proposed law. Stipulates that within three months after the registration of 5,000 qualified patients within any region, the board shall issue to an existing marijuana pharmacy licensed and operating in that region one additional marijuana pharmacy permit for a location in the region. Provides that thereafter, the board shall issue an additional marijuana pharmacy permit after the registration of each additional increment of 5,000 qualified patients, within any region.

Proposed law provides requirements and standards for marijuana production contractors of licensed producers of medical marijuana, including requirements and standards with respect to all of the following:

- (1) Initial inspections of contractor facilities.
- (2) Inspections of contractor facilities subsequent to initial inspections.
- (3) Security at contractor facilities.
- (4) Visitors at contractor facilities.

- (5) Data management by contractors.
- (6) Contractors' inventory.
- (8) Material safety data sheet requirements.
- (9) Transportation of therapeutic marijuana by contractors.

Proposed law requires that marijuana produced for therapeutic use be tested by a facility licensed by the board in accordance with proposed law as a therapeutic marijuana laboratory. Requires that applicants for licensure as a therapeutic marijuana laboratory meet all of the following requirements in order to qualify for a license:

- (1) Be accredited by the National Institute on Drug Abuse, the National Environmental Laboratory Accreditation Conference, the International Organization for Standardization, or other accrediting entity approved by the board, which accreditation shall be maintained in active and good standing or other substantially similar status for the duration of licensure.
- (2) Employ or hire a laboratory director or other qualifying individual who meets certain suitability requirements provided in present law.
- (3) Submit to at least one on-site facility inspection conducted by the board or its designee prior to licensure.
- (4) Implement and utilize the Louisiana Medical Marijuana Tracking System computerized inventory tracking system to post accurate analyses and results, which shall be subject to board review.
- (5) Demonstrate acceptable laboratory performance standards regarding accuracy, precision, proficiency, reportable ranges, specificity, or other quality controls required by the board.

Proposed law stipulates that the LDAF agricultural chemistry laboratory shall be exempt from the application process and deemed approved as a therapeutic marijuana laboratory; requires, however that such laboratory shall comply with the requirements of paragraphs (4) and (5) above.

Proposed law requires LDAF to continue to conduct laboratory testing of marijuana produced for therapeutic use according to applicable rules and regulations in effect on the effective date of proposed law, unless otherwise provided for in rules of the board, until at least two additional laboratories are approved by the board and have both been operational for a minimum of six months to ensure a reliable, adequate, and uninterrupted supply of therapeutic marijuana to Louisiana patients.

Proposed law recognizes and declares that both the Louisiana State University Agricultural Center (LSU Ag Center) and the Southern University Agricultural Center (SU Ag Center) timely exercised and asserted their intent to be licensed to produce recommended marijuana for therapeutic use in this

state in accordance with the provisions of Act No. 261 of the 2015 RS.

Proposed law repeals present law providing procedures for selection and licensing of a therapeutic marijuana producer in the event that neither the LSU Ag Center nor the SU Ag Center is licensed as a production facility.

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

(Amends R.S. 40:1046(A)(1), (C)(1) and (2)(intro. para.), (g), and (h), (G), and (H)(1), (2), and (6)(a)(intro. para.) and (b); Adds R.S. 40:1046(A)(7), (B), and 1046.1-1046.3; Repeals R.S. 40:1046(H)(3)-(5))