

2023 Regular Session

SENATE RESOLUTION NO. 96

BY SENATOR MIZELL

HEALTH DEPARTMENT. Requests the Louisiana Department of Health to study acute and long-term adverse health events related to medical marijuana.

1 A RESOLUTION

2 To urge and request the Louisiana Department of Health to study acute and long-term
3 adverse health events related to medical marijuana and to report its findings to the
4 legislature prior to the convening of the 2024 Regular Session of the Legislature of
5 Louisiana.

6 WHEREAS, the therapeutic use of marijuana in this state was first authorized in law
7 in 1978, when Act No. 725 of the 1978 Regular Session of the legislature was enacted; and

8 WHEREAS, the legislature subsequently enacted Act No. 874 of the 1991 Regular
9 Session and Act No. 261 of the 2015 Regular Session, the Alison Neustrom Act, in efforts
10 to facilitate access by patients to medical marijuana; and

11 WHEREAS, the 2015 legislation established the Louisiana Board of Pharmacy as the
12 regulatory authority for the dispensing of recommended marijuana for therapeutic use for
13 treating conditions such as glaucoma, cancer, and spastic quadriplegia; and

14 WHEREAS, this legislation also established the Louisiana Department of Agriculture
15 and Forestry as the regulatory authority for the cultivation and production of medical
16 marijuana; and

17 WHEREAS, in 2018, the legislature enacted several laws expanding the statutorily
18 provided list of conditions qualifying patients for treatment with medical marijuana, adding

1 post-traumatic stress disorder, autism, and chronic pain as qualifying conditions; and

2 WHEREAS, Act No. 286 of the 2020 Regular Session dramatically expanded the
3 authorization for use of medical marijuana by adding to the statutory list of qualifying
4 conditions: Alzheimer's disease, amyotrophic lateral sclerosis, Huntington's disease, Lewy
5 body dementia, motor neuron disease, Parkinson's disease, spinal muscular atrophy,
6 traumatic brain injury, concussion, chronic pain associated with fibromyalgia, chronic pain
7 associated with sickle cell disease, and, most significantly, any condition not otherwise
8 specified in the state's medical marijuana law, R.S. 40:1046, that a physician, in his medical
9 opinion, considers debilitating to an individual patient and is qualified through his medical
10 education and training to treat; and

11 WHEREAS, over the past several years, the set of authorized forms of medical
12 marijuana in this state has also been expanded to include metered dose inhalers, oils,
13 extracts, tinctures, sprays, capsules, pills, solutions, suspensions, gelatin-based chewables,
14 lotions, transdermal patches, and suppositories; and

15 WHEREAS, Act No. 424 of the 2021 Regular Session repealed the prohibition on
16 therapeutic use of marijuana in raw or crude form and thereby permitted a smokeable form
17 of medical marijuana; and

18 WHEREAS, Act No. 438 of the 2022 Regular Session authorized dispensing of
19 medical marijuana to certain qualifying patients who are not Louisiana residents and Act No.
20 444 of the 2022 Regular Session extended the authority to recommend medical marijuana
21 to medical psychologists and licensed nurse practitioners who have prescriptive authority,
22 in addition to licensed physicians; and

23 WHEREAS, Act No. 491 of the 2022 Regular Session transferred duties for licensure
24 and regulation of medical marijuana production facilities from the Louisiana Department of
25 Agriculture and Forestry to the Louisiana Department of Health and repealed the ten-license
26 limit on marijuana pharmacy licenses by providing a process to issue additional licenses
27 contingent upon increases in medical marijuana patient counts; and

28 WHEREAS, with the significant expansion of permitted uses, access to clinician
29 recommendations, and methods of delivery of medical marijuana for patients, it is
30 imperative that state lawmakers and health officials remain aware of the adverse effects on

