

## HOUSE SUMMARY OF SENATE AMENDMENTS

**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

### Synopsis of Senate Amendments

1. Deletes proposed law prohibiting a physician from 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 unless the physician is a pediatric subspecialist licensed by the La. State Board of Medical Examiners and credentialed by the La. Board of Pharmacy. Inserts in lieu thereof proposed law prohibiting a physician from 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 unless the physician complies with present law and proposed law and consults with a pediatric subspecialist.
2. Requires that beginning Jan. 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the legislative committees on health and welfare concerning the research on marijuana for therapeutic use that present law authorizes the agricultural centers to conduct.

### Digest of Bill as Finally Passed by Senate

#### 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 present law and proposed law and consults with a

pediatric subspecialist.

Requires that beginning Jan. 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the legislative committees on health and welfare concerning outcomes of the research on marijuana for therapeutic use authorized pursuant to present law.

Requires that beginning Jan. 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the legislative committees on health and welfare concerning the research on marijuana for therapeutic use that present law authorizes the agricultural centers to conduct.

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

### **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 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 complies with present law and proposed law and consults with a pediatric subspecialist.

Requires that beginning Jan. 1, 2020, and annually thereafter, the Louisiana State University Agricultural Center and the Southern University Agricultural Center shall submit a report to the legislative committees on health and welfare concerning the research on marijuana for therapeutic use that present law authorizes the agricultural centers to conduct.

Effective upon the date when the U.S. Drug Enforcement Administration reclassifies marijuana from a Schedule I drug to a Schedule II drug under the authority of the federal Controlled Substances Act.

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