

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 271** SLS 16RS 366  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action: **w/ HSE COMM AMD**  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 11, 2016 2:24 PM	<b>Author:</b> MILLS
<b>Dept./Agy.:</b> Board of Pharmacy	<b>Analyst:</b> Willis Brewer
<b>Subject:</b> Provisions regarding medical marijuana	

PHARMACISTS RE1 SEE FISC NOTE GF EX See Note Page 1 of 1  
 Provides for medical marijuana. (gov sig)

Present law provides for medical marijuana to be prescribed by a licensed physician practicing medicine in the state. Proposed law provides for medical marijuana to be recommended by a licensed physician that is licensed by the Louisiana Board of Medical Examiners, domiciled in Louisiana, and in good standing with the board. Proposed law changes the present law from certain specified diseases related to marijuana prescriptions to "debilitating medical conditions" which includes cancer, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, cachexia or wasting syndrome, seizure disorders, epilepsy, Crohn's disease, or multiple sclerosis. Proposed law provides for alternative effective date to change "recommend" to "prescribe" in the event marijuana is reclassified from a Schedule 1 to Schedule 2 drug by the US Drug Enforcement Administration. Proposed law instructs the boards to update rules to reflect proposed law changes. Proposed law clarifies that LSU Ag and SU Ag have right for first refuse, shall have separate licenses, and need to make determination by 9/1/2016. Proposed law grants authority to Department of Agriculture and Forestry to require a full set of fingerprints and to obtain state and national criminal background on applicants and its employees seeking to be producer of medical marijuana.

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

This bill changes language from "prescribed" to "recommended" which is anticipated to legally allow physicians to instruct applicable pharmacies to dispense medical marijuana. Currently, it is a federal violation to prescribe cannabis for medical use since it is a Schedule 1 drug under the Controlled Substances Act. In addition, this measure expands the list of medical conditions in which a pharmacist can recommend medical marijuana to patients. Currently, only three medical conditions can be prescribed.

This measure will require the Department of Agriculture and Forestry to obtain state and federal criminal background information on any applicant and its employees seeking to be a producer of medical marijuana. It will cost the department approximately \$51-56 per applicant for the fingerprinting (\$10-15) and to obtain state (\$26) and national (\$15) criminal history record information. Since this measure authorizes the department to require the applicants to pay for these expenditures, there is no anticipated increase in cost to the department.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|--|--------------|
| <u>Senate</u>   | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |              |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |              |

**John D. Carpenter**  
**Legislative Fiscal Officer**