HLS 20RS-794 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 386

1

BY REPRESENTATIVE JAMES

MEDICAL MARIJUANA: Adds to the set of debilitating conditions qualifying a patient for a recommendation of medical marijuana by a physician

AN ACT

2	To enact R.S. 40:1046(A)(2)(a)(xvii), relative to recommendation by physicians of
3	marijuana for therapeutic use, known commonly as medical marijuana; to provide
4	for medical conditions which qualify a patient for treatment with medical marijuana;
5	to authorize the recommendation of medical marijuana by a physician in treating any
6	medical condition that he is qualified to treat; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 40:1046(A)(2)(a)(xvii) is hereby enacted to read as follows:
9	§1046. Recommendation and dispensing of marijuana for therapeutic use; rules and
10	regulations; of the Louisiana State Board of Medical Examiners and
11	Louisiana Board of Pharmacy; and the adoption of rules and regulations
12	relating to the dispensing of recommended marijuana for therapeutic use; the
13	Department of Agriculture and Forestry and the licensure of a production
14	facility licensing by the Department of Agriculture and Forestry
15	A.
16	* * *
17	(2)(a) For purposes of this Subsection, "debilitating medical condition"
18	means any of the following:
19	* * *

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 (xvii) Any condition not otherwise specified in this Subparagraph that a
2 physician, in his medical opinion, considers debilitating to an individual patient and
3 is qualified through his medical education and training to treat.
4 * * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 386 Original

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James

Abstract: Authorizes the recommendation of medical marijuana by a physician in treating any medical condition that he is qualified through his medical education and training to treat.

<u>Present law</u> 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.

<u>Proposed law</u> retains <u>present law</u> and adds to the list of debilitating medical conditions provided in <u>present law</u> any condition that a physician, in his medical opinion, considers debilitating to an individual patient and is qualified through his medical education and training to treat.

(Adds R.S. 40:1046(A)(2)(a)(xvii))