The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler

DIGEST

SB 339 Original 2020 Regular Session Ward

Present law authorizes a physician licensed and in good standing with the La. State Board of Medical Examiners to recommend, except for inhalation and raw or crude marijuana, tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols for therapeutic use by any patient clinically diagnosed as suffering from a debilitating medical condition.

Provides that present law not be construed to prevent the Louisiana Board of Pharmacy from permitting, by rule, medical marijuana in a form to be administered by metered-dose inhaler, which is a device delivering a specific amount of medication to the lungs, in the form of a short burst of medicine that is usually self-administered by the patient via inhalation.

Proposed law retains present law but clarifies that the physician be licensed to practice medicine.

Present law provides that "recommend" or "recommended" is order from a physician licensed by and in good standing with Board authorized to recommend medical marijuana that is patient-specific and disease-specific that is a debilitating medical condition and is communicated by any means allowed by the La. Board of Pharmacy to a Louisiana-licensed pharmacist in a Louisiana-permitted dispensing pharmacy and is preserved on file as required by law.

Proposed law provides that "recommend" or "recommended" is an opinion of any physician licensed to practice medicine in the state, provided within a bona-fide doctor patient relationship, that in a doctor's sincere medical judgment therapeutic cannabis may be helpful to the patient's condition and is communicated by any means allowed by the pharmacy board.

Present law authorizes a physician licensed to practice medicine in this state to recommend medical marijuana to any patient suffering from a debilitating medical condition with whom he shares a bona fide doctor-patient relationship and requires that he recommend treatment in accordance with rules and regulations promulgated by the board of medical examiners.

Proposed law retains the present law but removes the requirement that treatment be in accordance with rules promulgated by the board of medical examiners.

Proposed law repeals the requirement for the board of medical examiners to promulgate rules authorizing physicians to recommend marijuana for therapeutic use and the requirement that describes a physician's authority to prescribe as a "recommended" use of therapeutic marijuana.

Effective August 1, 2020.

(Amends R.S. 40:1046(A)(1), (3), and (4); repeals R.S. 40:1046(B)