

SENATE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 627 by Representative Lyons

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact R.S. 40:1046(A)(2) and" delete the remainder of the line and
3 insert "(H)(2)(c) and to enact R.S. 40:1046(H)(2)(c) as amended and"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "disorder;" and before "and to" insert "to provide for enactment of
6 certain provisions upon reclassification of marijuana by the United States Drug Enforcement
7 Administration; to provide for effectiveness;" and delete line 9 and insert:

8 "Section 1. R.S. 40:1046(A)(2) and (H)(2)(c) are hereby amended and reenacted to
9 read as follows:"

10 AMENDMENT NO. 3

11 On page 2, line 24, after "physician" delete the remainder of the line and delete lines 25 and
12 26 and insert "complies with the provisions of this Section and consults with a pediatric
13 subspecialist."

14 AMENDMENT NO. 4

15 On page 3, between lines 14 and 15, insert the following:

16 "H. * * *
17 (2) * * *
18 (c) The Louisiana State University Agricultural Center or the Southern
19 University Agricultural Center may conduct research on marijuana for therapeutic
20 use if the center is licensed as a production facility pursuant to this Section. Effective
21 January 1, 2020, and annually thereafter, the Louisiana State University Agricultural
22 Center and the Southern University Agricultural Center shall submit a report to the
23 Senate and House committees on health and welfare, to include data and outcomes
24 of the research conducted pursuant to this Paragraph.
25 * * *"

26 AMENDMENT NO. 5

27 On page 3, line 17, after "reenacted" insert "and R.S. 40:1046(H)(2)(c) is hereby enacted"

28 AMENDMENT NO. 6

29 On page 3, after line 17, delete the remainder of the page and delete pages 4 and 5 in their
30 entirety and insert in lieu thereof the following:

31 "§1046. Prescription of marijuana for therapeutic use; rules and regulations;
32 Louisiana Board of Pharmacy and the adoption of rules and regulations
33 relating to the dispensing of prescribed marijuana for therapeutic use; the
34 Department of Agriculture and Forestry and the licensure of a production
35 facility
36 A.
37 * * *

1 (2)(a) For purposes of this Subsection, "debilitating medical condition"
2 means any of the following:

- 3 (i) ~~cancer~~, Cancer.
- 4 (ii) ~~positive status for human immunodeficiency virus~~, Positive status for
- 5 human immunodeficiency virus.
- 6 (iii) ~~acquired immune deficiency syndrome~~, Acquired immune deficiency
- 7 syndrome.
- 8 (iv) ~~cachexia or wasting syndrome~~, Cachexia or wasting syndrome.
- 9 (v) ~~seizure disorders~~, Seizure disorders.
- 10 (vi) ~~epilepsy~~, Epilepsy.
- 11 (vii) ~~spasticity~~, Spasticity.
- 12 (viii) ~~Crohn's disease~~, Crohn's disease.
- 13 (ix) ~~muscular dystrophy, or~~ Muscular dystrophy.
- 14 (x) ~~multiple sclerosis~~: Multiple sclerosis.
- 15 (xi) Any of the following conditions associated with autism spectrum

16 disorder:
17 (aa) Repetitive or self-stimulatory behavior of such severity that the physical
18 health of the person with autism is jeopardized.

19 (bb) Avoidance of others or inability to communicate of such severity that
20 the physical health of the person with autism is jeopardized.

- 21 (cc) Self-injuring behavior.
- 22 (dd) Physically aggressive or destructive behavior.

23 (b) No physician shall prescribe medical marijuana for treatment of any
24 condition associated with autism spectrum disorder for a patient who is under the age
25 of eighteen unless the physician complies with the provisions of this Section and
26 consults with a pediatric subspecialist.

27 ~~(b)~~ (c) If the United States Food and Drug Administration approves the use
28 of medical marijuana in the same form provided for in this Part for any debilitating
29 medical condition specifically identified in this Paragraph, that medical condition
30 shall no longer be covered by the provisions of this Part.

31 ~~(c)~~ (d) If the United States Food and Drug Administration approves the use
32 of medical marijuana in a form or derivative different than provided for in this Part
33 for any debilitating medical condition specifically identified in this Paragraph, the
34 disease state shall remain covered by the provisions of this Part. The patient shall
35 first be treated by the approved form or derivative of medical marijuana through
36 utilization of step therapy or fail first protocols. If, after use of the United States
37 Food and Drug Administration approved form or derivative of medical marijuana,
38 the physician determines that the preferred treatment required under step therapy or
39 fail first protocol has been ineffective in the treatment of the patient's debilitating
40 medical condition, he may prescribe the form of medical marijuana provided for in
41 this Part for use by the patient as medically necessary.

42 * * *

43 H. * * *

44 (2) * * *

45 (c) The Louisiana State University Agricultural Center or the Southern
46 University Agricultural Center may conduct research on marijuana for therapeutic
47 use if the center is licensed as a production facility pursuant to this Section. Effective
48 January 1, 2020, and annually thereafter, the Louisiana State University Agricultural
49 Center and the Southern University Agricultural Center shall submit a report to the
50 Senate and House committees on health and welfare, to include data and outcomes
51 of the research conducted pursuant to this Paragraph.

52 * * *

53 Section 3. This Section and Section 1 of this Act shall become effective upon
54 signature by the governor or, if not signed by the governor, upon expiration of the time for
55 bills to become law without signature by the governor, as provided by Article III, Section
56 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
57 by the legislature, this Section and Section 1 of this Act shall become effective on the day
58 following such approval.

1 Section 4. This Section and Section 2 of this Act shall become effective and
2 operative if and upon the date when the United States Drug Enforcement Administration
3 reclassifies marijuana from a Schedule I drug to a Schedule II drug under the authority of
4 the Controlled Substances Act, 21 U.S.C. 801 et seq."