

## RÉSUMÉ DIGEST

ACT 496 (HB 627)

2018 Regular Session

Lyons

### Recommendation of Medical Marijuana

Existing 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.

New law retains existing 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.

New 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 does all of the following:

- (1) Complies with existing law relative to recommending medical marijuana.
- (2) Consults with a pediatric subspecialist.

New 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 existing law authorizes the centers to conduct.

Effective upon signature of governor (May 23, 2018).

### Prescription of Medical Marijuana

Existing 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.

New law retains existing 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.

New 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 does all of the following:

- (1) Complies with existing law relative to prescribing medical marijuana.
- (2) Consults with a pediatric subspecialist.

New 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 existing law authorizes the 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.)