2020 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE JAMES

MEDICAL MARIJUANA: Repeals the prohibition on medical marijuana in raw or crude form

1	AN ACT
2	To amend and reenact R.S. 40:1046(A)(1), relative to medical marijuana; to provide for the
3	consumption of raw or crude marijuana; to provide for the inhalation of marijuana;
4	and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 40:1046(A)(1) is hereby amended to read as follows:
7	§1046. Recommendation and dispensing of marijuana for therapeutic use; rules and
8	regulations; of the Louisiana State Board of Medical Examiners and
9	Louisiana Board of Pharmacy; and the adoption of rules and regulations
10	relating to the dispensing of recommended marijuana for therapeutic use; the
11	Department of Agriculture and Forestry and the licensure of a production
12	facility licensing by the Department of Agriculture and Forestry
13	A.(1) Notwithstanding any other provision of this Part, a physician licensed
14	by and in good standing with the Louisiana State Board of Medical Examiners to
15	practice medicine in this state may recommend, in any form as permitted by the rules
16	and regulations of the Louisiana Board of Pharmacy, except for inhalation, and raw
17	or crude marijuana, tetrahydrocannabinols or a chemical derivative of
18	tetrahydrocannabinols for therapeutic use by any patient clinically diagnosed as
19	suffering from a debilitating medical condition. Nothing in this Paragraph shall be
20	construed to prevent the Louisiana Board of Pharmacy from permitting, by rule,

Page 1 of 2

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

1	medical marijuana in a form to be administered by metered-dose inhaler. For			
2	purposes of this Section, "metered-dose inhaler" means a any device that delivers a			
3	any specific amount of medication to the lungs, in the form of a short burst of			
4	medicine that is usually self-administered by the patient via inhalation.			
5	* * *			

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 385 Original	2020 Regular Session	James
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Abstract: Removes the prohibition on medical marijuana for inhalation and raw or crude marijuana.

<u>Present law</u> provides that a physician who is in good standing with the La. State Board of Medical Examiners to practice medicine may recommend tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols for therapeutic use except for inhalation and raw or crude marijuana.

<u>Proposed law</u> deletes <u>present law</u> and removes inhalation and raw or crude marijuana as a prohibition to use tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols for therapeutic use for a patient clinically diagnosed as suffering from a debilitating medical condition.

<u>Present law</u> provides that <u>present law</u> should not prevent the La. Board of Pharmacy from permitting medical marijuana in a form to be administered by metered-dose inhaler. Further provides that a "metered-dose inhaler" means a device that delivers 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.

<u>Proposed law</u> retains <u>present law</u> to provide that a "metered-dose inhaler" means any device that delivers any specific amount of medication to the lungs.

(Amends R.S. 40:1046(A)(1))