

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 237,
2 Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

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4 "192.945. 1. As used in this section, the following terms shall mean:

5 (1) "Department", the department of health and senior services;

6 (2) "Hemp extract", as such term is defined in section 195.207;

7 (3) "Hemp extract registration card", a card issued by the department under this section;

8 (4) "Intractable epilepsy", epilepsy that as determined by a neurologist does not respond to
9 three or more treatment options overseen by the neurologist;

10 (5) "Neurologist", a physician who is licensed under chapter 334 and board certified in
11 neurology;

12 (6) "Parent", a parent or legal guardian of a minor who is responsible for the minor's
13 medical care;

14 (7) "Physician", a person who is a physician licensed by the state board of registration for
15 the healing arts and practicing within this state;

16 (8) "Registrant", an individual to whom the department issues a hemp extract registration
17 card under this section.

18 2. The department shall issue a hemp extract registration card to an individual who:

19 (1) Is eighteen years of age or older;

20 (2) Is a Missouri resident;

21 (3) Provides the department with a statement signed by a neurologist or physician that:

22 (a) Indicates that the individual suffers from intractable epilepsy and may benefit from
23 treatment with hemp extract; and

24 (b) Is consistent with a record from the neurologist or physician concerning the individual
25 contained in the database described in subsection 9 of this section;

26 (4) Pays the department a fee in an amount established by the department under subsection
27 6 of this section; and

28 (5) Submits an application to the department on a form created by the department that
29 contains:

30 (a) The individual's name and address;

31 (b) A copy of the individual's valid photo identification; and

32 (c) Any other information the department considers necessary to implement the provisions
33 of this section.

34 3. The department shall issue a hemp extract registration card to a parent who:

35 (1) Is eighteen years of age or older;

36 (2) Is a Missouri resident;

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(3) Provides the department with a statement signed by a neurologist or physician that:

(a) Indicates that a minor in the parent's care suffers from intractable epilepsy and may benefit from treatment with hemp extract; and

(b) Is consistent with a record from the neurologist or physician concerning the minor contained in the database described in subsection 9 of this section;

(4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and

(5) Submits an application to the department on a form created by the department that contains:

(a) The parent's name and address;

(b) The minor's name;

(c) A copy of the parent's valid photo identification; and

(d) Any other information the department considers necessary to implement the provisions of this section.

4. The department shall maintain a record of the name of each registrant and the name of each minor receiving care from a registrant.

5. The department shall promulgate rules to:

(1) Implement the provisions of this section including establishing the information the applicant is required to provide to the department and establishing in accordance with recommendations from the department of public safety the form and content of the hemp extract registration card; and

(2) Regulate the distribution of hemp extract from a cannabidiol oil care center to a registrant, which shall be in addition to any other state or federal regulations; and

The department may promulgate rules to authorize clinical trials involving hemp extract.

6. The department shall establish fees that are no greater than the amount necessary to cover the cost the department incurs to implement the provisions of this section.

7. The registration cards issued under this section shall be valid for one year and renewable if at the time of renewal the registrant meets the requirements of either subsection 2 or 3 of this section.

8. The neurologist or physician who signs the statement described in subsection 2 or 3 of this section shall:

(1) Keep a record of the neurologist's or physician's evaluation and observation of a patient who is a registrant or minor under a registrant's care including the patient's response to hemp extract; and

(2) Transmit the record described in subdivision (1) of this subsection to the department.

9. The department shall maintain a database of the records described in subsection 8 of this section and treat the records as identifiable health data.

10. The department may share the records described in subsection 9 of this section with a higher education institution for the purpose of studying hemp extract.

11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, shall be invalid and void.

192.947. 1. No individual or health care entity organized under the laws of this state shall

1 be subject to any adverse action by the state or any agency, board, or subdivision thereof, including
2 civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or
3 administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or
4 commission if such individual or health care entity, in its normal course of business and within its
5 applicable licenses and regulations, acts in good faith upon or in furtherance of any order or
6 recommendation by a neurologist or physician authorized under section 192.945 relating to the
7 medical use and administration of hemp extract with respect to an eligible patient.

8 2. The provisions of subsection 1 of this section shall apply to the recommendation,
9 possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract,
10 including any act in preparation of such dispensing or administration.

11 3. This section shall not be construed to limit the rights provided under law for a patient to
12 bring a civil action for damages against a physician, hospital, registered or licensed practical nurse,
13 pharmacist, any other individual or entity providing health care services, or an employee of any
14 entity listed in this subsection. "; and

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16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.
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