

## HCS HB 1554 -- MEDICAL MARIJUANA

SPONSOR: Neely

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 10 to 2. Motion to "Do Pass" failed by the Rules- Legislative Oversight Committee by a vote of 3 to 7. Voted "To Reconsider" by the Rules- Legislative Oversight Committee by a vote of 9 to 2. Voted "Do Pass" by the Rules- Legislative Oversight Committee by a vote of 7 to 4.

### INVESTIGATIONAL DRUG USE BY TERMINAL PATIENTS

This bill expands the definition of investigational drug, biological product, or device so that it can include medical cannabis. Under this provision, a dispensing organization or manufacturer of an investigational drug, biological product, or device that has successfully completed phase one of a clinical trial but has not been approved for general use by the Food and Drug Administration (FDA) and remains under investigation in a clinical trial can be made available to certain eligible patients who have terminal illnesses and meet all the other requirements of the section. This bill makes it a class A misdemeanor for any official, employee, or agent of the state to block or attempt to block the access of an eligible patient to an investigational drug, biological product, or device (Section 191.480, RSMo).

### MEDICAL CANNABIS AND HEMP EXTRACT REGISTRATION CARDS

This bill changes the law regarding the use of hemp extract to treat intractable epilepsy to authorize the legal use of medical marijuana to treat terminal illnesses. This bill authorizes the Department of Health and Senior Services to issue medical cannabis registration cards to any Missouri resident, 18 years old or older, who can provide a statement signed by a doctor stating that the individual suffers from a terminal illness and may benefit from treatment with medical cannabis and that the individual has considered all other treatment options currently approved by the FDA and all relevant clinical trials conducted in Missouri. Parents of minor children suffering from intractable epilepsy or a terminal illness or condition can also obtain medical cannabis cards on behalf of their children. These registration cards will only be valid for one year but can be renewed.

The department will publish a list of debilitating diseases or conditions for which a medical cannabis or hemp extract registration card can be issued. A medical cannabis registration card may only be issued for terminal illnesses and a hemp extract registration card may only be issued for intractable epilepsy.

Any physician who signs a statement for a patient to obtain a medical cannabis registration card must keep a record of his or her evaluation and observation of that patient, including the patient's response to medical cannabis, and transmit such record to the department. The department must maintain a database of these records, which it can share with a higher education institution for the purpose of studying medical cannabis. The department is also required to maintain a record of each person to whom it issues a registration card. The department can also authorize clinical trials involving medical cannabis (Section 192.945).

#### ADVERSE ACTION

The bill specifies that no individual or health care entity shall be subject to adverse action by the state if the individual or health care entity, acting in its normal course of business, acts in good faith upon an order relating to the medical use of hemp extract or medical cannabis (Section 192.947).

#### THE USE OF MEDICAL CANNABIS

An individual who has been issued a medical cannabis registration card can only possess or use medical cannabis, in a smokeless form, to treat a terminal illness. An individual who has been issued a medical cannabis registration card may possess up to 20 ounces of medical cannabis. An individual may be allowed to apply for a waiver of this limit under the rules established by the Department of Health and Senior Services. The individual must also have a certificate of analysis detailing the ingredients of the medical cannabis (Section 195.207).

#### THE CULTIVATION AND PRODUCTION OF MEDICAL CANNABIS

The Department of Agriculture shall issue cultivation and production facility licenses to grow or cultivate medical cannabis. The department will maintain a list of all licensed growers. The department is responsible for establishing rules relating to application requirements, including submission of fingerprints and criminal background checks; security requirements for cultivation and production premises; cannabis monitoring systems; the submission of medical cannabis to an approved testing facility; and the manufacture, storage, and transportation of medical cannabis (Section 261.265).

#### NOXIOUS WEED

This bill exempts licensed hemp oil or medical cannabis production under Chapter 261 from the requirement that a person destroys

marijuana plants growing on his or her land (Section 263.250).

This bill is the same as HCS HB 437 (2017).

PROPOSERS: Supporters say that medical marijuana saves lives, it is less addictive than opioids and overuse doesn't lead to death. Supporters testified that marijuana can help relieve the symptoms of Post Traumatic Stress Disorder (PTSD) and has been proven to reduce the rate of suicide by veterans. They encouraged the committee to expand this bill so that veterans and others diagnosed with PTSD can legally use marijuana. Supporters stressed that there is no suicidal ideation associated with marijuana use, which is not true of antidepressants.

Testifying for the bill were Representative Neely; Blake Bell, Project-422; Thomas Goodin, Missouri Association of Veterans Organizations; Jady Hendrix; Robert Joshua Lee, Veterans Alliance for Compassionate Access; Kimberly Kowalski; Lance Mallette; Thomas Mundell, VFW/MAVO; Justin Peters; Heidi Rayl; Abigail Alliance for Better Access to Developmental Drugs; Jane Suozzi; and the American Civil Liberties Union of Missouri.

OPPOSERS: Those who oppose the bill say that marijuana is still illegal under federal law. Opponents said this needs to be changed at the federal level before the state allows for the legal use of marijuana.

Testifying against the bill was the Missouri Association of Prosecuting Attorneys.