

HCS SCS SB 953 -- SCHEDULE OF CONTROLLED SUBSTANCES

SPONSOR: Sater (Hill)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 7 to 1. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 11 to 0. Voted "To Reconsider" by the Standing Committee on Rules- Legislative Oversight by a vote of 13 to 0. Voted "To Return to the Committee of Origin" by the Standing Committee on Rules- Legislative Oversight by a vote of 13 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 9 to 0.

Currently, the law allows people with intractable epilepsy to possess and use hemp extract to treat the condition. This bill expands the current law to allow individuals with other serious conditions to use hemp extract as well. A serious condition, for the purpose of this bill, is defined as Cancer, HIV, AIDS, Amyotrophic Lateral Sclerosis, Rheumatoid Arthritis, Parkinson's Disease, Multiple Sclerosis, spinal cord damage, Epilepsy, Inflammatory Bowel Disease, Neuropathies, Huntington's Disease, or certain specified symptoms or complications associated with the conditions listed.

Currently, the Department of Health and Senior Services shall issue a registration card to a person who provides a statement signed by a neurologist that the person suffers from Intractable Epilepsy and may benefit from treatment with hemp extract. This bill requires the department to also issue registration cards to people who provide certification signed by a physician that the person suffers from one of the previously mentioned serious conditions. The physician must also indicate to the department that he or she is qualified to treat the condition, and that the patient is under the practitioner's continuing care (Section 192.945, RSMo).

This bill specifies, if a substance is designated, rescheduled, or deleted as a controlled substance under federal law, the Department of Health and Senior Services shall promulgate emergency rules to implement such change within 30 days of publication of the change in the Federal Register, unless the department objects to such change. If the department promulgates emergency rules under this bill, the rules may remain in effect until the legislature concludes its next regular session following the imposition of the rules.

Additionally, this bill updates the schedules of controlled substances in Missouri to mirror the most recent update to the schedules in 19 CSR 30-1.002 and further updates by the Drug

Enforcement Agency in the Federal Register (Section 195.015).

The civil liability of a doctor or hospital that provides medical treatment to a patient pursuant to this bill will not be determined according to the normal standards for medical malpractice but can only be found upon a showing that the damages were caused by gross negligence or willful or wanton acts or omissions on the part of the doctor or hospital (Section 192.947).

Currently, the maximum level of Tetrahydrocannabinol (THC) permitted in hemp extract is 0.3% by weight. This bill raises the maximum level to 0.9% by weight. This bill also lowers the minimum level of cannabidiol required in hemp extracted from 5% by weight to 1.5% by weight.

A maximum of 10 licenses may be issued for the cultivation of cannabis to be used in the production of hemp extract (Section 261.265).

PROPONENTS: Supporters say that this legislation is meant to update our drug schedule statutes and rules to mirror the federal drug statutes. This would go into effect 10 days after rule promulgation. New drugs come out all the time and they need to be added to our schedule.

Testifying for the bill was Senator Sater.

OPPONENTS: There was no opposition voiced to the committee.