

124E.2 Definitions.

As used in [this chapter](#):

1. “*Bordering state*” means the same as defined in [section 331.910](#).
2. “*Debilitating medical condition*” means any of the following:
 - a. Cancer, if the underlying condition or treatment produces one or more of the following:
 - (1) Severe or chronic pain.
 - (2) Nausea or severe vomiting.
 - (3) Cachexia or severe wasting.
 - b. Multiple sclerosis with severe and persistent muscle spasms.
 - c. Seizures, including those characteristic of epilepsy.
 - d. AIDS or HIV as defined in [section 141A.1](#).
 - e. Crohn’s disease.
 - f. Amyotrophic lateral sclerosis.
 - g. Any terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following:
 - (1) Severe or chronic pain.
 - (2) Nausea or severe vomiting.
 - (3) Cachexia or severe wasting.
 - h. Parkinson’s disease.
 - i. Chronic pain.
 - j. Severe, intractable autism with self-injurious or aggressive behaviors.
 - k. Post-traumatic stress disorder.
3. “*Department*” means the department of public health.
4. “*Disqualifying felony offense*” means a violation under federal or state law of a felony under federal or state law, which has as an element the possession, use, or distribution of a controlled substance, as defined in 21 U.S.C. §802(6).
5. “*Employee*” means a natural person who is employed in this state for wages by an employer.
6. “*Employer*” means a person who in this state employs for wages an employee.
7. “*Health care practitioner*” means an individual licensed under [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery, a physician assistant licensed under [chapter 148C](#), an advanced registered nurse practitioner licensed under [chapter 152](#), or an advanced practice registered nurse under [chapter 152E](#), who is a patient’s primary care provider or a podiatrist licensed pursuant to [chapter 149](#).
8. “*Laboratory*” means the state hygienic laboratory at the university of Iowa in Iowa City or any other independent medical cannabidiol testing facility accredited to standard ISO/IEC 17025 by an international organization for standards-approved accrediting body, with a controlled substance registration certificate from the United States drug enforcement administration and a certificate of registration from the board of pharmacy. For the purposes of [this chapter](#), an independent laboratory is a laboratory operated by an entity that has no equity ownership in a medical cannabidiol manufacturer.
9. “*Marijuana*” means any derivative of marijuana including but not limited to medical cannabidiol.
10. “*Medical cannabidiol*” means any pharmaceutical grade cannabinoid found in the plant *Cannabis sativa L.* or *Cannabis indica* or any other preparation thereof that is delivered in a form recommended by the medical cannabidiol board, approved by the board of medicine, and adopted by the department pursuant to rule.
11. “*Primary caregiver*” means a person who is a resident of this state or a bordering state as defined in [section 331.910](#), including but not limited to a parent or legal guardian, at least eighteen years of age, who has been designated by a patient’s health care practitioner as a necessary caretaker taking responsibility for managing the well-being of the patient with respect to the use of medical cannabidiol pursuant to the provisions of [this chapter](#).
12. “*Total tetrahydrocannabinol*” means eighty-seven and seven-tenths percent of the amount of tetrahydrocannabinolic acid plus the amount of tetrahydrocannabinol.
13. “*Untreatable pain*” means any pain whose cause cannot be removed and, according

to generally accepted medical practice, the full range of pain management modalities appropriate for the patient has been used without adequate result or with intolerable side effects.

14. “*Written certification*” means a document signed by a health care practitioner, with whom the patient has established a patient-provider relationship, which states that the patient has a debilitating medical condition and identifies that condition and provides any other relevant information.

[2017 Acts, ch 162, §5, 25](#); [2020 Acts, ch 1116, §2 – 5](#)

Referred to in [§96.5, 124.401](#)

Section amended and editorially internally renumbered