



KIM REYNOLDS  
GOVERNOR

**OFFICE OF THE GOVERNOR**

ADAM GREGG  
LT GOVERNOR

May 24, 2019

The Honorable Paul Pate  
Secretary of State of Iowa  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit House File 732, an Act relating to the medical cannabidiol act.

House File 732 would make a number of changes to expand Iowa's medical cannabidiol ("CBD") program. Our program was originally established to provide CBD as a treatment option for Iowans suffering from specific medical conditions. Since our program began, I have heard countless stories of the relief and remarkable improvements that CBD has offered Iowans. And I support our program and efforts to strengthen and improve the program, so that it continues to be a safe, rational, and compassionate medical CBD program.

Unlike some states, Iowa's medical CBD program is not a medical marijuana program. To this end, current Iowa law limits the level of tetrahydrocannabinol ("THC")—the psychoactive chemical in the cannabis plant—in medical CBD products to three percent. But recognizing the limited experience with medical CBD and potential questions surrounding the three percent limit, the Legislature had the foresight to establish a Medical Cannabidiol Board, primarily made up of medical experts. The Board is tasked with governing our program and advising the Legislature on potential statutory changes to the definition of medical CBD, including the THC limit. The Legislature was wise to understand that we were entering uncharted territory and could benefit from the Board's expertise in navigating any potential expansion of the program.

Most of the changes included in House File 732 were the result of the Legislature and the Medical Cannabidiol Board coming together to reach agreement on appropriate and positive improvements to our medical CBD program. I fully support these changes. But unfortunately, the bill would also remove the three percent limit on THC in medical CBD products and replace it with a limit of 25 grams of THC per 90-day period. This change was not recommended by the Board. And if approved, it would drastically expand Iowa's medical CBD program far beyond its original scope of CBD-based treatments and could open the door to significant unintended consequences to the health and safety of Iowans.

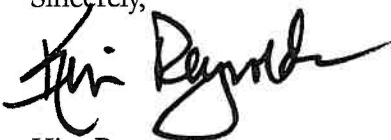
I agree that there should be some change to the three percent THC limit. There appears to be consensus, including from the Board, that a gram-based limit would be more appropriate than a percentage-based limit. But I have not been unable to discern any evidence-based justification for the specific 25-gram limit proposed in this bill. And after its review of the available evidence, the Board recommended a limit of only 4.5 grams per 90-day period.

It may be that a THC limit higher than 4.5 grams is appropriate. But the 25-gram limit in this bill would allow a person to consume more than 277 milligrams of THC per day—an amount higher than one would typically consume even with aggressive recreational marijuana use. This is all the more concerning because a participant in the program is not prescribed a particular dosage by a medical practitioner or monitored on an ongoing basis for any adverse health consequences. Iowa's program only requires a practitioner to certify that the participant suffers from a qualifying condition on an annual basis.

Ultimately, I believe Iowa must proceed cautiously to ensure that any expansion of our medical CBD program is thoughtful and deliberate—particularly because Iowa's program is in its infancy and the body of research that analyzes the efficacy of medical CBD is limited. So I look forward to working with the Legislature and the Medical Cannabidiol Board to find an evidence-based THC limit that we can work to enact along with the rest of the provisions in House File 732 that I support. The health and safety of Iowans is too important for us not to get this right.

For these reasons, I respectfully disapprove of House File 732 in its entirety.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds". The signature is fluid and cursive, with the first name "Kim" and last name "Reynolds" clearly distinguishable.

Kim Reynolds  
Governor of Iowa

cc: Secretary of the Senate  
Clerk of the House



House File 732

AN ACT  
RELATING TO THE MEDICAL CANNABIDIOL ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 124E.2, subsection 2, paragraph i, Code 2019, is amended to read as follows:

i. ~~Untreatable~~ Severe or chronic pain.

Sec. 2. Section 124E.2, subsections 5 and 6, Code 2019, are amended to read as follows:

5. "*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, or an advanced registered nurse practitioner licensed under chapter 152 or 152E, who is a patient's primary care provider. ~~"Health care practitioner" shall not include a physician assistant licensed under chapter 148C or an advanced registered nurse practitioner licensed pursuant to chapter 152 or 152E.~~

6. "*Medical cannabidiol*" means any pharmaceutical grade cannabinoid found in the plant *Cannabis sativa* L. or *Cannabis indica* or any other preparation thereof ~~that has a tetrahydrocannabinol level of no more than three percent and 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.~~

Sec. 3. Section 124E.2, subsection 8, Code 2019, is amended by striking the subsection.

Sec. 4. Section 124E.4, subsection 1, paragraph f, Code 2019, is amended by striking the paragraph.

Sec. 5. Section 124E.9, Code 2019, is amended by adding the following new subsections:

NEW SUBSECTION. 13. A medical cannabidiol dispensary may employ a pharmacist or pharmacy technician licensed or registered pursuant to chapter 155A.

NEW SUBSECTION. 14. *a.* Except as otherwise provided in paragraph "b", a medical cannabidiol dispensary shall not dispense more than a combined total of twenty-five grams of tetrahydrocannabinol to a patient and the patient's primary caregiver in a ninety-day period.

*b.* The board of medicine shall adopt rules allowing the health care practitioner who originally certified a patient to receive a medical cannabidiol registration card to apply for, and the medical cannabidiol board to expeditiously and efficiently grant, a waiver to permit the patient and the patient's primary caregiver to receive more than a combined total of twenty-five grams of tetrahydrocannabinol in a ninety-day period if the health care practitioner submits documentation certifying all of the following:

(1) The health care practitioner performed a physical examination of the patient and has determined that twenty-five grams of tetrahydrocannabinol per ninety-day period is not an adequate amount to alleviate the patient's debilitating medical condition.

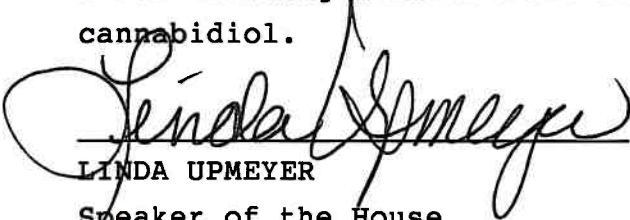
(2) The patient's debilitating medical condition is a terminal illness with a life expectancy of less than one year.


Sec. 6. Section 124E.11, subsection 1, paragraph b, subparagraph (1), subparagraph division (c), Code 2019, is amended to read as follows:

(c) To authorized employees of a medical cannabidiol dispensary, but only for the ~~purpose~~ purposes of verifying that a person is lawfully in possession of a medical cannabidiol registration card issued pursuant to this chapter and that a person has not purchased tetrahydrocannabinol in excess of the amount authorized by this chapter.

Sec. 7. Section 124E.11, subsection 2, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. Collect and evaluate data on patient demographics, effective treatment options, clinical outcomes, and quality of life outcomes for the purpose of reporting on the benefits, risks, and outcomes encountered by patients with a debilitating medical condition engaged in the use of medical cannabidiol.

  
LINDA UPMEYER  
Speaker of the House

  
CHARLES SCHNEIDER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 732, Eighty-eighth General Assembly.



CARMINE BOAL  
Chief Clerk of the House

*HR*  
**DISAPPROVED**  
Approved May 24<sup>th</sup>, 2019

  
KIM REYNOLDS  
Governor