

House Study Bill 244 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON KLEIN)

A BILL FOR

1 An Act relating to the medical cannabidiol Act.

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

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

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

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

6 5. "*Health care practitioner*" means an individual licensed
7 under chapter 148 to practice medicine and surgery or
8 osteopathic medicine and surgery, a physician assistant
9 licensed under chapter 148C, or an advanced registered nurse
10 practitioner licensed under chapter 152 or 152E, who is a
11 patient's primary care provider. ~~"Health care practitioner"~~
12 ~~shall not include a physician assistant licensed under chapter~~
13 ~~148C or an advanced registered nurse practitioner licensed~~
14 ~~pursuant to chapter 152 or 152E.~~

15 6. "*Medical cannabidiol*" means any pharmaceutical
16 grade cannabinoid found in the plant *Cannabis sativa* L. or
17 *Cannabis indica* or any other preparation thereof ~~that has~~
18 ~~a tetrahydrocannabinol level of no more than three percent~~
19 ~~and~~ that is delivered in a form recommended by the medical
20 cannabidiol board, approved by the board of medicine, and
21 adopted by the department pursuant to rule.

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

24 Sec. 4. Section 124E.4, subsection 1, paragraph f, Code
25 2019, is amended by striking the paragraph.

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

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

31 NEW SUBSECTION. 14. A medical cannabidiol dispensary shall
32 not dispense more than a combined total of twenty grams of
33 tetrahydrocannabinol to a patient and the patient's primary
34 caregiver in a ninety-day period. The department may decrease
35 this limit by rule as provided in section 124E.11, subsection

1 2, paragraphs "c".

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

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

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

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

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the medical cannabidiol Act (Code
23 chapter 124E).

24 The bill replaces "untreatable pain" with "severe and
25 chronic pain" on the list of debilitating medical conditions
26 for which medical cannabidiol may be recommended by a health
27 care practitioner.

28 The bill adds physician assistants and advanced registered
29 nurse practitioners to the list of health care practitioners
30 who may certify a person to receive a medical cannabidiol
31 registration card.

32 The bill removes the percentage cap on the amount of
33 tetrahydrocannabinol (THC) that medical cannabidiol, as defined
34 in Code section 124E.2(6), is allowed to contain. The bill
35 prohibits a dispensary from dispensing more than 20 grams of

1 THC to a patient or a patient's caregiver in a 90-day period.
2 The bill allows the department of public health to lower this
3 limit by rule. The bill allows the department to disclose
4 certain patient information to authorized employees of medical
5 cannabidiol dispensaries to ensure that a person has not
6 purchased THC in excess of this limit.

7 The bill removes the prohibition on certain felons who are
8 patients applying for a medical cannabidiol registration card.

9 The bill allows a medical cannabidiol dispensary to employ
10 a pharmacist or pharmacy technician licensed or registered
11 pursuant to Code chapter 155A.

12 The bill directs the department of public health to adopt
13 rules for the collection and evaluation of data regarding
14 patient demographics, effective treatment options, clinical
15 outcomes, and quality of life outcomes for the purpose of
16 reporting on the benefits, risks, and outcomes encountered by
17 patients with a debilitating medical condition engaged in the
18 use of medical cannabidiol.