

House File 732 - Reprinted

HOUSE FILE 732

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 244)

(As Amended and Passed by the House March 26, 2019)

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

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

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

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

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

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

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

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