HOUSE FILE 732
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 244)

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

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

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.