

MEDICINE BOARD[653]

Notice of Intended Action

**Proposing rule making related to medical cannabidiol
and providing an opportunity for public comment**

The Board of Medicine hereby proposes to amend Chapter 13, “Standards of Practice and Principles of Medical Ethics,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 272C.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 124E.2.

Purpose and Summary

This rule making is intended to implement 2020 Iowa Acts, House File 2589, which amended Iowa Code section 124E.2 to make changes to the definitions of “debilitating medical condition” and “medical cannabidiol.”

Specifically, one of the conditions listed under “debilitating medical condition,” Iowa Code section 124E.2(2)“i,” was amended to read “chronic pain.” The legislation also amended the definition to add a condition, “post-traumatic stress disorder.” The definition of “medical cannabidiol,” Iowa Code section 124E.2(10), was amended to remove the reference to the 3 percent tetrahydrocannabinol level limit.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on June 23, 2021. Comments should be directed to:

Joseph Fraioli
Iowa Board of Medicine
400 SW Eighth Street, Suite C
Des Moines, Iowa 50309
Phone: 515.281.3614
Email: joseph.fraioli@iowa.gov

Public Hearing

A virtual public hearing at which persons may present their views orally or in writing will be held as follows:

June 22, 2021
9 to 10 a.m.

Zoom link:
us02web.zoom.us/j/82513785629?pwd=NEdRd1BCMVpqR3VRUmVXMUd5QkcyZz09
Meeting ID: 825 1378 5629
Passcode: 011109
Phone: +1 312.626.6799 US (Chicago) (enter meeting ID and passcode)

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule **13.15(1)**, definitions of "Debilitating medical condition" and "Medical cannabidiol," as follows:

"*Debilitating medical condition*" means any of the following:

1. to 8. No change.
9. ~~Untreatable~~ Chronic pain.
10. No change.
11. Severe, intractable ~~pediatric~~ autism with self-injurious or aggressive behaviors.
12. No change.
13. Post-traumatic stress disorder.

"*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 3 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.