

SS#2 SB 386 -- HEMP EXTRACT

SPONSOR: Keaveny (Jones)

COMMITTEE ACTIONS: Voted "Do Pass" by the Standing Committee on Emerging Issues by a vote of 9 to 0. Voted "Do Pass" by the Select Standing Committee on General Laws by a vote of 9 to 1.

Currently, individuals with intractable epilepsy are allowed to possess and use hemp extract to treat their condition. This bill allows individuals with specified serious conditions to also use hemp extract. These conditions are cancer, HIV, AIDS, amyotrophic lateral sclerosis, Parkinson's disease, multiple sclerosis, spinal cord damage, inflammatory bowel disease, neuropathies, Huntington's disease, post-traumatic stress disorder, or specified symptoms or complications associated with those conditions.

Currently, the Department of Health and Senior Services must issue a registration card to any individual who provides a statement signed by a neurologist that he or she suffers from intractable epilepsy and may benefit from treatment with hemp extract. The bill specifies that the department must issue a registration card to any individual who provides a recommendation signed by a practitioner or neurologist that indicates that the patient suffers from a serious condition or intractable epilepsy and may benefit from treatment with hemp extract; indicates the practitioner or neurologist is qualified to treat the condition; states that the individual is under the neurologist or practitioner's continuing care; and recommends the form of hemp extract the patient may consume, including the method of consumption. The practitioner must be a licensed physician. The bill requires the neurologist or practitioner to notify the patient or the patient's parent or guardian if the patient is a minor, before providing a recommendation that hemp extract is not approved by the Federal Drug Administration and, by using the hemp extract, the patient or parent is accepting the risks involved in using an unapproved product.

Registration cards currently expire after one year. The bill specifies that the practitioner or neurologist may specify an earlier date of expiration. An individual may only possess a form of hemp extract that is in compliance with the neurologist or practitioner's recommendation or limitation. The bill specifies that only a neurologist or practitioner may recommend hemp extract and sign the statement as part of a treatment plan for a patient who has been diagnosed with intractable epilepsy or a serious condition.

Any individual or health care entity organized under the laws of

the state must not be subject to any adverse action by the state or any of its agencies or boards, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if the individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith on any order, recommendation, or statement by a neurologist or practitioner relating to the medical use and administration of hemp extract with respect to an eligible patient. These provisions must apply to the possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract, including any act in preparation of the dispensing or administration.

Currently, the Department of Agriculture is allowed to license up to two cultivation and production facility licenses. The bill allows the department to issue licenses for up to five facilities in 2016, up to eight facilities in 2017, and up to 10 facilities in 2018 and each year thereafter. The bill requires nonprofit entities seeking licensure to have had their domicile in Missouri for at least five years. Any cultivation and production facility license issued before August 28, 2015, must continue to be valid even if the licensed entity does not meet the requirement that the entity has been domiciled in Missouri for at least five years.

PROPONENTS: Supporters say that the bill expands existing hemp extract regulations to allow for the treatment of more disorders and should help reduce the cost of hemp extract for treatment purposes.

Testifying for the bill were Senator Keaveny; Duell Lauderdale; and Missourians for Growth.

OPPONENTS: There was no opposition voiced to the committee.