

HCS HB 2238 -- CBD OIL

SPONSOR: Jones (50)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 12 to 0.

This bill changes the laws regarding hemp. In the its main provisions, the bill:

(1) Specifies that the Department of Health and Senior Services may issue a hemp extract registration card to individuals that meet certain criteria, including a signed statement from a neurologist that indicates the individual suffers from intractable epilepsy and may benefit from treatment with hemp extract and is consistent with a record from the neurologist concerning the individual contained in the department's database. The department may issue a hemp extract registration card to a parent of a minor who meets certain criteria;

(2) Requires the department to maintain a record of the name of each person to whom the department issues a hemp extract registration card and the name of each minor receiving care from a registrant;

(3) Requires the department to establish the information the applicant is required to provide to the department; working with the Department of Public Safety, establish the form and content of the hemp extract registration card; and establish fees no greater than the amount necessary to cover the cost the department incurs to implement the program;

(4) Specifies that the registration cards are valid for one year and renewable if at the time of renewal the registrant meets certain requirements;

(5) Requires the neurologist who signs the statement to keep a record of the evaluation and observation of a patient, including the patient's response to hemp extract, and transmit the record to the department;

(6) Requires the department to maintain a database of the records and treat the records as identifiable health data. The department may share the records with a higher education institution for the purpose of studying hemp extract;

(7) Defines "hemp extract" as an extract from a cannabis plant or a mixture or preparation containing cannabis plant material that:

(a) Is composed of no more than .3% tetrahydrocannabinol by weight;

(b) Is composed of at least 5% cannabidiol by weight; and

(c) Contains no other psychoactive substance;

(8) Specifies that an individual who possesses or uses hemp extract is not subject to the penalties for possession or use of the hemp extract if the individual possesses or uses the hemp extract only to treat intractable epilepsy; originally obtained the hemp extract from a sealed container with a label indicating the hemp extract's place of origin and a number that corresponds with a certificate of analysis; possesses, in close proximity to the hemp extract, a certificate of analysis that contains specific information about the extract; and has a current hemp extract registration card issued by the department;

(9) Specifies that an individual who possesses hemp extract lawfully and administers hemp extract to a minor suffering from intractable epilepsy is not subject to the penalties for administering the hemp extract to the minor if the individual is the minor's parent or legal guardian and is registered with the department as the minor's parent;

(10) Specifies that an individual who possesses up to 20 ounces of hemp extract is not subject to the penalties for possession or use of hemp extract. An individual may apply for a waiver if a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 20 ounces is an insufficient amount to properly alleviate the patient's medical condition or symptoms associated with such medical condition;

(11) Specifies that the Department of Agriculture may import the seed, root, oil, or any other part of the cannabis plant used to make hemp extract or any other item necessary for the production of hemp extract, and may grow or cultivate the plant or industrial hemp on its property for the purpose of agricultural or academic research;

(12) Specifies that the Department of Agriculture may grow or cultivate or collaborate with a licensed not-for-profit entity to grow or cultivate the plant or industrial hemp on its property for the purpose of agricultural or academic research;

(13) Specifies that the Department of Agriculture may produce, manufacture, and distribute hemp extract for the treatment of persons suffering from intractable epilepsy;

(14) Requires the departments of Agriculture and Health and Senior Services to establish rules and regulations regarding the manufacture, storage, transportation, and distribution of hemp extract;

(15) Requires the Department of Agriculture to certify a higher education institution to grow or cultivate the cannabis plant used to make hemp extract or industrial hemp on its property for the purpose of agricultural or academic research if the higher education institution submits to the department certain information;

(16) Requires the Department of Agriculture to maintain a list of industrial hemp certificate holders; and

(17) Requires the Department of Agriculture to promulgate rules to ensure any industrial hemp project meets the standards of an agricultural pilot project, as defined by Section 7606, RSMo, of the Agricultural Act of 2014.

The bill contains an emergency clause.

PROPOSERS: Supporters say that the bill provides an option that may help many families alleviate or drastically decrease their children's seizures.

Testifying for the bill were Representative Jones (50); Daryl Bertrand; Dr. Gilbert Mobley; Show Me Cannabis; Richard Scheer; Missouri Family Network; and Genny Jesse.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying say that they would like Food and Drug Administration approval for safety and efficacy of the oil extract.

Testifying, for informational purposes, were Alicia Ozenberger, ACT Missouri and Edward Moses.