

House Bill 65

By: Representatives Peake of the 141st, Gravley of the 67th, Powell of the 32nd, Clark of the 98th, Battles of the 15th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to the
2 establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards,
3 quarterly reports, and waiver forms, so as to change provisions relating to conditions and
4 eligibility; to provide a definition; to remove certain reporting requirements; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to the
9 establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards,
10 quarterly reports, and waiver forms, is amended by revising paragraphs (3) through (7) of
11 subsection (a), subsection (c), and subsections (e) through (g) as follows:

12 "(3) 'Condition' means:

- 13 (A) Cancer, when such ~~diagnosis is end stage or the treatment~~ disease produces related
- 14 wasting illness, recalcitrant nausea, and vomiting;
- 15 (B) Amyotrophic lateral sclerosis, ~~when such diagnosis is severe or end stage;~~
- 16 (C) Seizure disorders related to diagnosis of epilepsy or trauma related head injuries;
- 17 (D) Multiple sclerosis, ~~when such diagnosis is severe or end stage;~~
- 18 (E) Crohn's disease;
- 19 (F) Mitochondrial disease;
- 20 (G) Parkinson's disease, ~~when such diagnosis is severe or end stage; or~~
- 21 (H) Sickle cell disease, ~~when such diagnosis is severe or end stage;~~
- 22 (I) Tourette's syndrome;
- 23 (J) Autism spectrum disorder;
- 24 (K) Intractable pain;
- 25 (L) Post-traumatic stress disorder;
- 26 (M) Alzheimer's disease;

27 (N) Human immunodeficiency virus; or

28 (O) Acquired immune deficiency syndrome.

29 (4) 'Department' means the Department of Public Health.

30 (5) 'Intractable pain' means severe, debilitating pain that has not responded to previously
 31 prescribed medication or surgical measures for more than three months.

32 ~~(5)(6)~~ 'Low THC oil' shall have the same meaning as set forth in Code Section
 33 16-12-190.

34 ~~(6)(7)~~ 'Physician' means an individual licensed to practice medicine pursuant to Article
 35 2 of Chapter 34 of Title 43.

36 ~~(7)(8)~~ 'Registry' means the Low THC Oil Patient Registry."

37 "(c) The purpose of the registry is to provide a registration of individuals and caregivers
 38 who have been issued registration cards. The department shall establish procedures and
 39 promulgate rules and regulations for the establishment and operation of the registration
 40 process and dispensing of registry cards to individuals and caregivers. ~~Only individuals~~
 41 ~~residing in this state for at least one year or a child born in this state less than one year old~~
 42 ~~shall be eligible for registration under this Code section.~~ Nothing in this Code section shall
 43 apply to any Georgia residents resident living temporarily in another state for the purpose
 44 of securing THC oil for treatment of any condition under this Code section."

45 ~~"(e) The board shall require physicians to issue quarterly reports to the board. Such reports~~
 46 ~~shall require physicians to provide information, including, but not limited to, dosages~~
 47 ~~recommended for a particular condition, clinical responses, compliance, responses to~~
 48 ~~treatment, side effects, and drug interactions.~~

49 ~~(f)(e)~~ Information received and records kept by the department for purposes of
 50 administering this Code section shall be confidential; provided, however, that such
 51 information shall be disclosed:

52 (1) Upon written request of an individual or caregiver registered pursuant to this Code
 53 section; and

54 (2) To peace officers and prosecuting attorneys for the purpose of:

55 (A) Verifying that an individual in possession of a registration card is registered
 56 pursuant to this Code section; or

57 (B) Determining that an individual in possession of low THC oil is registered pursuant
 58 to this Code section.

59 ~~(g)(f)~~ The board shall develop a waiver form that will advise that the use of cannabinoids
 60 and THC containing products have not been approved by the FDA and the clinical benefits
 61 are unknown and may cause harm. Any patient or caregiver shall sign such waiver prior
 62 to his or her approval for registration."

63

SECTION 2.

64 All laws and parts of laws in conflict with this Act are repealed.