

The Senate Committee on Health and Human Services offered the following substitute to SB 395:

**MOOT**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the  
2 Department of Public Health, so as to require a physician to submit certain information to the  
3 Georgia Composite Medical Board when certifying an individual as eligible for the Low  
4 THC Oil Patient Registry; to authorize the Department of Public Health to disclose certain  
5 information; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department  
9 of Public Health, is amended by revising subsections (e) and (f) of Code Section 31-2A-18,  
10 relating to the Low THC Oil Patient Registry, registration cards, reports, waiver forms, and  
11 annual review and recommendations, as follows:

12 "(e) The board shall require physicians to issue semiannual reports to the board. Such  
13 reports shall require physicians to provide sufficient information, including, but not limited  
14 to, dosages recommended for a particular condition, patient clinical responses, ~~levels of~~  
15 ~~tetrahydrocannabinol or tetrahydrocannabinolic acid present in test results, compliance,~~  
16 responses to treatment, side effects, and drug interactions. Such reports shall be used for

17 research purposes to determine the efficacy of the use of low THC oil as a treatment for  
18 conditions and for the board to confirm that the physician has a doctor-patient relationship  
19 with the patient and that such physician is treating such patient for the specific condition  
20 requiring treatment or is treating such patient in a hospice program.

21 (f) Information received and records kept by the department for purposes of administering  
22 this Code section shall be confidential; provided, however, that such information shall be  
23 disclosed, subject to the provisions of the federal Health Insurance Portability and  
24 Accountability Act of 1996, P.L. 104-191, and any regulations promulgated thereunder:

25 (1) Upon written request of an individual or caregiver registered pursuant to this Code  
26 section for information related to the individual or his or her caregiver;

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

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

30 (B) Determining that an individual in possession of low THC oil is registered pursuant  
31 to this Code section; **and**

32 (3) To government entities and other entities for statistical, research, educational,  
33 instructional, drug abuse prevention, or grant application purposes after removing all  
34 personal identifiers from the health information and removing all information that could  
35 be used to identify ~~prescribers~~ physicians; **and**

36 (4) To the board or other state licensing boards for investigatory, compliance, or  
37 disciplinary purposes."

38 **SECTION 2.**

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