

The House Committee on Public and Community Health offers the following substitute to SB 395:

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 authorize the Department of Public Health to disclose
3 certain information regarding the Low THC Oil Patient Registry to the Georgia Composite
4 Medical Board for certain purposes; to provide for annual reports by physicians; to restrict
5 the use of such reports; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

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

17 responses to treatment, side effects, and drug interactions. Such reports shall be used for
18 research purposes to determine the efficacy of the use of low THC oil as a treatment for
19 conditions. A physician's failure to submit such a report shall not serve as the basis for the
20 department to cancel or revoke a registration card.

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 for investigatory, compliance, or disciplinary purposes."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.