

1 **CANNABINOID PRODUCT BOARD MEMBERSHIP**

2 **AMENDMENTS**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Brad M. Daw**

6 Senate Sponsor: Evan J. Vickers

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions related to the Cannabinoid Product Board.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ amends the required composition of the Cannabinoid Product Board; and
- 14 ▶ amends the duties of the Cannabinoid Product Board to include review of expanded
- 15 cannabinoid products.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **26-61-201**, as enacted by Laws of Utah 2017, Chapter 398

23 **26-61-202**, as enacted by Laws of Utah 2017, Chapter 398

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **26-61-201** is amended to read:

27 **26-61-201. Cannabinoid Product Board.**

28 (1) There is created the Cannabinoid Product Board within the department.

29 (2) The department shall appoint, in consultation with a professional association based

30 in the state that represents physicians, seven members to the Cannabinoid Product Board as
31 follows:

32 (a) three individuals who are medical research professionals; and

33 (b) four physicians.

34 (3) The department shall [~~appoint board members under Subsection (2) such~~] ensure
35 that [~~three~~] at least one of the board members [~~are members~~] appointed under Subsection (2) is
36 a member of the Controlled Substances Advisory Committee created in Section 58-38a-201.

37 (4) (a) Four of the board members appointed under Subsection (2) shall serve an initial
38 term of two years and three of the board members appointed under Subsection (2) shall serve
39 an initial term of four years.

40 (b) Successor board members shall each serve a term of four years.

41 (5) The department may remove a board member without cause.

42 (6) The board shall nominate a board member to serve as chairperson of the board by a
43 majority vote of the board members.

44 (7) The board shall meet as often as necessary to accomplish the duties assigned to the
45 board under this chapter.

46 (8) Each board member, including the chair, has one vote.

47 (9) (a) A majority of board members constitutes a quorum.

48 (b) A vote of a majority of the quorum at any board meeting is necessary to take action
49 on behalf of the board.

50 (10) A board member may not receive compensation for the member's service on the
51 board, but may, in accordance with rules adopted by the board in accordance with Title 63G,
52 Chapter 3, Utah Administrative Rulemaking Act, receive:

53 (a) per diem at the rate established under Section 63A-3-106; and

54 (b) travel expenses at the rate established under Section 63A-3-107.

55 Section 2. Section 26-61-202 is amended to read:

56 **26-61-202. Cannabinoid Product Board -- Duties.**

57 (1) The board shall review any available research related to the human use of a

58 cannabinoid product or an expanded cannabinoid product that:

59 (a) was conducted under a study approved by an IRB; or

60 (b) was conducted or approved by the federal government.

61 (2) Based on the research described in Subsection (1), the board shall evaluate the
62 safety, risks, and efficacy of cannabinoid products and expanded cannabinoid products,
63 including:

64 (a) medical conditions that respond to cannabinoid products and expanded cannabinoid
65 products;

66 (b) cannabinoid dosage amounts and medical dosage forms; and

67 (c) interaction of cannabinoid products and expanded cannabinoid products with other
68 treatments.

69 (3) Based on the board's evaluation under Subsection (2), the board shall develop
70 guidelines for a physician recommending treatment with a cannabinoid product or an expanded
71 cannabinoid product that includes a list of medical conditions, if any, that the board determines
72 are appropriate for treatment with a cannabinoid product or an expanded cannabinoid product.

73 (4) The board shall submit the guidelines described in Subsection (3) to:

74 (a) the director of the Division of Occupational and Professional Licensing; and

75 (b) the Health and Human Services Interim Committee.

76 (5) The board shall report the board's findings before November 1 of each year to the
77 Health and Human Services Interim Committee.