

HB0230S03 compared with HB0230S02

~~{deleted text}~~ shows text that was in HB0230S02 but was deleted in HB0230S03.

inserted text shows text that was not in HB0230S02 but was inserted into HB0230S03.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Jennifer ~~{Dailey-Provost}~~Dailey-Provost proposes the following substitute bill:

CENTER FOR MEDICAL CANNABIS RESEARCH

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer ~~{Dailey-Provost}~~Dailey-Provost

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill creates the Center for Medical Cannabis Research.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies membership requirements for members of the Cannabis Research Review Board;
- ▶ creates the Center for Medical Cannabis Research (center) within the University of Utah;

~~{ → requires the Department of Health and Human Services to work with the center to create guidance on medical cannabis use;~~

HB0230S03 compared with HB0230S02

- ‡ ▶ allows the center to be funded by the Qualified Patient Enterprise Fund; and
- ▶ establishes the center's duties.

Money Appropriated in this Bill:

~~{This bill appropriates in fiscal year 2024:~~

~~—————▶ to the University of Utah - Education and General - Center for Medical Cannabis Research, as an ongoing appropriation:~~

~~—————• from the Qualified Patient Enterprise Fund, \$650,000.} None~~

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-61-201, as last amended by Laws of Utah 2022, Chapter 452

26-61a-109, as last amended by Laws of Utah 2019, First Special Session, Chapter 5

~~{—————**26-61a-703**, as last amended by Laws of Utah 2022, Chapter 97~~

‡ENACTS:

~~{—————**26-61a-117**, Utah Code Annotated 1953~~

‡ **53B-17-1401**, Utah Code Annotated 1953

53B-17-1402, Utah Code Annotated 1953

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

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

26-61-201. Cannabis Research Review Board.

(1) There is created the Cannabis Research Review Board within the department.

(2) The department shall appoint, in consultation with a professional association based in the state that represents physicians, seven members to the Cannabis Research Review Board as follows:

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

(b) four physicians ~~{ [who] }~~:

(i) ~~{ }~~ who are qualified medical providers; and

(ii) at least two who have at least 100 patients with a medical cannabis patient card at the time of appointment.

HB0230S03 compared with HB0230S02

(3) The department shall ensure that at least one of the board members appointed under Subsection (2) is a member of the Controlled Substances Advisory Committee created in Section 58-38a-201.

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

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

(c) A board member appointed to fill a vacancy on the board shall serve the remainder of the term of the board member whose departure created the vacancy.

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

(6) The board shall:

(a) nominate a board member to serve as chairperson of the board by a majority vote of the board members; and

(b) meet as often as necessary to accomplish the duties assigned to the board under this chapter.

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

(8) (a) A majority of board members constitutes a quorum.

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

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

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

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

(10) If a board member appointed under Subsection (2)(b) does not meet the qualifications of Subsection (2)(b) before July 1, 2022:

(a) the board member's seat is vacant; and

(b) the department shall fill the vacancy in accordance with this section.

Section 2. Section **26-61a-109** is amended to read:

26-61a-109. Qualified Patient Enterprise Fund -- Creation -- Revenue neutrality.

(1) There is created an enterprise fund known as the "Qualified Patient Enterprise

HB0230S03 compared with HB0230S02

Fund."

(2) The fund created in this section is funded from:

- (a) money the department deposits into the fund under this chapter;
- (b) appropriations the Legislature makes to the fund; and
- (c) the interest described in Subsection (3).

(3) Interest earned on the fund shall be deposited into the fund.

~~[(4) The department may only use money in the fund to fund the department's responsibilities under this chapter]~~

(4) Money deposited into the fund may only be used by:

(a) the department to accomplish the department's responsibilities described in this chapter; and

(b) the Center for Medical Cannabis Research created in Section 53B-17-1402 to accomplish the Center for Medical Cannabis Research's responsibilities.

(5) The department shall set fees authorized under this chapter in amounts that the department anticipates are necessary, in total, to cover the department's cost to implement this chapter.

Section 3. Section ~~{26-61a-117}~~53B-17-1401 is enacted to read:

~~{26-61a-117. Guidance for treatment with medical cannabis:~~

~~The department, in consultation with the Center for Medical Cannabis Research created in Section 53B-17-1402, shall:~~

~~(1) develop evidence-based guidance for treatment with medical cannabis based on the latest medical research that shall include:~~

~~(a) for each qualifying condition, a summary of the latest medical research regarding the treatment of the qualifying condition with medical cannabis;~~

~~(b) risks, contraindications, side effects, and adverse reactions that are associated with medical cannabis use; and~~

~~(c) potential drug interactions between medical cannabis and medications that have been approved by the United States Food and Drug Administration; and~~

~~(2) educate recommending medical providers, pharmacy medical providers, medical cannabis cardholders, and the public regarding:~~

~~(a) the evidence-based guidance for treatment with medical cannabis described in Subsection~~

HB0230S03 compared with HB0230S02

~~(1)(a):~~

~~(b) relevant warnings and safety information related to medical cannabis use; and
(c) other topics related to medical cannabis use as determined by the department.~~

~~Section 4. Section 26-61a-703 is amended to read:~~

~~26-61a-703. Report.~~

~~(1) By the November interim meeting each year beginning in 2020, the department shall report to the Health and Human Services Interim Committee on:~~

~~(a) the number of applications and renewal applications filed for medical cannabis cards;~~

~~(b) the number of qualifying patients and designated caregivers;~~

~~(c) the nature of the debilitating medical conditions of the qualifying patients;~~

~~(d) the age and county of residence of cardholders;~~

~~(e) the number of medical cannabis cards revoked;~~

~~(f) the number of practitioners providing recommendations for qualifying patients;~~

~~(g) the number of license applications and renewal license applications received;~~

~~(h) the number of licenses the department has issued in each county;~~

~~(i) the number of licenses the department has revoked;~~

~~(j) the quantity of medical cannabis shipments that the state central patient portal facilitates;~~

~~(k) the number of overall purchases of medical cannabis and medical cannabis products from each medical cannabis pharmacy;~~

~~(l) the expenses incurred and revenues generated from the medical cannabis program; and~~

~~(m) an analysis of product availability in medical cannabis pharmacies.~~

~~(2) The report shall include information provided by the Center for Medical Cannabis Research described in Section 53B-17-1402.~~

~~[(2)] (3) The department may not include personally identifying information in the report described in this section.~~

~~[(3)] (4) During the 2022 legislative interim, the department shall report to the working group described in Section 36-12-8.2 as requested by the working group.~~

~~Section 5. Section 53B-17-1401 is enacted to read:~~

~~CHAPTER 17. UNIVERSITY OF UTAH~~

~~Part 14. Center for Medical Cannabis Research~~

~~53B-17-1401. Definitions.~~

HB0230S03 compared with HB0230S02

As used in this part:

- (1) "Academic research cannabis license" means the license described in Title 4, Chapter 41a, Part 9, Academic Medical Cannabis Research.
- (2) "Cannabis" means the same as that term is defined in Section 26-61a-102.
- (3) "Cannabis ~~cultivation facility~~ product" means the same as that term is defined in Section ~~4-41a-102~~.
- ~~(4) "Cannabis product" means the same as that term is defined in Section 26-61a-102.~~
- ~~(5) "Center" means the Center for the Medical Cannabis Research created in Section 53B-17-1402.~~
- ~~(6) "Eligible institution" means an institution of higher education that~~
- ~~(a) is located in Utah; and~~
- ~~(b) has or will obtain an academic research cannabis license.~~
- ~~(7) "Medical cannabis patient card" means the same as that term is defined in Section 26-61a-102.~~

Section ~~6~~4. Section **53B-17-1402** is enacted to read:

53B-17-1402. Center creation -- Duties.

- (1) There is created the Center for Medical Cannabis Research within the University of Utah.
- (2) The center shall:
- (a) ~~shall seek state, federal, and private funds to award grants for~~ facilitate coordination of medical cannabis research projects conducted by researchers at the center and eligible institutions;
- (b) ~~shall~~ facilitate and support pilot funding for research related to the health effects of cannabis products, including which may include the ~~potential risks or side~~ health effects of the use of cannabis products;
- ~~(c) shall facilitate and support funding for research related to the efficacy and potential or the health effects of various cannabis delivery methods, including vaporizing, ingesting, topical application, and combustion;~~
- ~~(d) shall~~ support researchers at the center in applying for ~~and securing federal and private~~ research grant funding for expanding medical cannabis research;
- ~~(e) shall~~ conduct a literature review ~~current and future~~ of medical cannabis

HB0230S03 compared with HB0230S02

~~research { literature, clinical studies, and clinical trials;~~

~~— (f) shall educate medical providers, lawmakers, and the public about};~~

(e) provide the results of the literature review described in Subsection (2)(d) to the Cannabis Research Review Board created in Section 26-61-201; and

(f) request information from each eligible institution regarding the items described in Subsection (3)(a)(i).

(3) (a) The center shall provide a report by November 1 to the Health and Human Services Interim Committee that:

(i) describes information provided to the center regarding medical cannabis research {advances;

~~— (g) shall, if requested, consult with} projects conducted by researchers {and} at each eligible {institutions seeking to conduct} institution, which may include:~~

(A) current and anticipated future medical cannabis research {regarding legal implications of the research under state and federal law;

~~— (h) shall monitor, to the extent that appropriate and sufficient data are available, patient outcomes in any state with a medicinal cannabis program;~~

~~— (i) may coordinate, share knowledge, and share best practices with a state:~~

~~— (i) that has a medical cannabis program; and~~

~~— (ii) is conducting cannabis research;~~

~~— (j) may award or facilitate funding for grants to an eligible institution for } projects;~~

(B) credentials and skill sets of researchers conducting medical cannabis research {, including research regarding the growing of a medical-grade cannabis plant that is used for a cannabis product;

~~— (k) shall support a licensed cannabis cultivation facility to provide medical-grade cannabis products for research;~~

~~— (l) shall make, for research conducted by the center, the research outcomes publicly available;~~

~~— (m) shall maintain a catalog of all published scientific reports based on projects funded or managed by the center;~~

~~— (n) shall ensure that an individual who agrees to use a cannabis product as part of a research project conducted by the center or a grantee has:~~

HB0230S03 compared with HB0230S02

~~(i) a valid medical cannabis patient card from the state; or~~
~~(ii) if included in the research project as a resident of another state, the equivalent of a medical cannabis patient card under the laws of another state, district, territory, commonwealth, or insular possession of the United States;~~

~~(o) shall obtain} projects; and~~

(C) relevant licenses of the institution, including whether the institution has an academic research cannabis license;

~~(p) may apply for, or assist an}ii) considering the information received under Subsection (3)(a), assesses:~~

(A) collaboration opportunities across eligible institutions and the center related to medical cannabis research projects; and

(B) funding opportunities for medical cannabis research projects; and

(ii) provides recommendations regarding the assessment described in Subsection (3)(a)(ii).

(b) An eligible institution {to apply for, a federal cannabis cultivation registration to locate a cannabis cultivation site in Utah; and

~~(q) for the report described in Section 26-61a-703,}that is a state institution of higher education shall provide information {to the Department of Health and Human Services describing:~~

~~(i) all research projects that are funded by a grant awarded by the center, including which institution received the grant;~~

~~(ii) all research projects conducted by the center; and~~

~~(iii) the adequacy of funding for the center's duties.~~

~~(3) For research funded, conducted, or facilitated by the center, the center shall ensure the research:~~

~~(a) includes appropriate research development, testing, and evaluation; and~~

~~(b) if the research involves human subjects, is reviewed, approved, and overseen by an institutional review board as defined in Section 26-61-102;}the center requests under~~

Subsection (3)(a)(i).

(4) The University of Utah shall provide staff for the center.

~~{ Section 7. **Appropriation:**~~

HB0230S03 compared with HB0230S02

~~The following sums of money are appropriated for the fiscal year beginning July 1, 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.~~

~~ITEM 1~~

~~To University of Utah - Education and General~~

~~From Qualified Patient Enterprise Fund 650,000~~

~~Schedule of Programs:~~

~~Center for Medical Cannabis Research 650,000~~

~~The Legislature intends that the Center for Medical Cannabis Research (center) use the appropriation under this item to carry out the center's duties described in Section 53B-17-1402.~~

~~‡~~