

Bill as Introduced

HB 240 - AS AMENDED BY THE HOUSE

24Feb2021... 0237h

2021 SESSION

21-0056
04/10

HOUSE BILL

240

AN ACT

relative to identification of cannabis strain for therapeutic cannabis.

SPONSORS:

Rep. Conley, Straf. 13; Rep. Dontonville, Graf. 10

COMMITTEE:

Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to identification of cannabis strain for therapeutic cannabis.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Use of Cannabis for Therapeutic Purposes; Labeling of Cannabis. Amend RSA 126-X:8, XVI(a)
2 to read as follows:

3 XVI.(a) All cannabis dispensed by an alternative treatment center shall include a label
4 specifying the ***commercial strain name of the cannabis, the*** weight of the cannabis, and any
5 other information the department requires to appear on the label. The label shall also specify that
6 the cannabis is for therapeutic use and that diversion is a class B felony requiring revocation of one's
7 registry identification card. ***An alternative treatment center may list the commercial strain***
8 ***names of the cannabis available to be dispensed on its public Internet website.***

9 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 62
HB 240 - FINAL VERSION

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8 ***names of the cannabis available to be dispensed on its public Internet website.***

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Approved: June 04, 2021
Effective Date: August 03, 2021

Committee Minutes

SENATE CALENDAR NOTICE

Health and Human Services

Sen Jeb Bradley, Chair
Sen James Gray, Vice Chair
Sen Kevin Avard, Member
Sen Tom Sherman, Member
Sen Rebecca Whitley, Member

Date: March 10, 2021

HEARINGS

Wednesday	03/17/2021	
(Day)	(Date)	
Health and Human Services	REMOTE 000	8:30 a.m.
(Name of Committee)	(Place)	(Time)
8:30 a.m.	EXECUTIVE SESSION ON PENDING LEGISLATION	
9:15 a.m.	HB 240	relative to identification of cannabis strain for therapeutic cannabis.
9:30 a.m.	HB 378	repealing the therapeutic use of cannabis advisory council.
9:45 a.m.	HB 350	permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94985563811>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,,94985563811# or 16465588656,,94985563811#
4. Webinar ID: [949 8556 3811](#)
5. To view/listen to this hearing on YouTube, use this link:

<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:

<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 240

Rep. Conley

Rep. Dontonville

HB 378

Rep. Acton

HB 350

Rep. Acton

Rep. Cushing

Kirsten Koch 271-3266

Jeb Bradley
Chairman

Senate Health and Human Services Committee

Kirsten Koch 271-3266

HB 240, relative to identification of cannabis strain for therapeutic cannabis.

Hearing Date: March 17, 2021

Time Opened: 9:24 a.m.

Time Closed: 9:58 a.m.

Members of the Committee Present: Senators Bradley, Gray, Avard, Sherman and Whitley

Members of the Committee Absent : None

Bill Analysis: This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website.

Sponsors:

Rep. Conley

Rep. Dontonville

Who supports the bill: Rep. Casey Conley, Strafford 13; Robin Vogt; Teresa Rosenberger, Temescal Wellness; Michele Peters; Aubrey Duplease; Christy Rivera; Ricardo Rivera; David Landry; Logan Snyder; Amanda Little; Sian Leininger, Temescal Wellness; Joshua Beecher; Helina Josephson; Keenan Blum, Prime ATC; Tim Josephson; Lee Cooper, Sanctuary ATC.

Who opposes the bill: None.

Who is neutral on the bill: Michael Holt, TCP/DHHS; James Norris, NH State Police.

Summary of Testimony Presented:

Representative Casey Conley, Strafford 13

- Rep. Conley introduced the bill and testified in support of the bill.
- Rep. Conley said, this bill allows dispensaries to use the commercial names of the strains on packaging and for displaying inventory on websites.
- Rep. Conley said this bill addresses a rule that prohibits the use of the commercial names of strains. Currently initials or short-hand must be used to identify the strains.
- Rep. Conley said, the current system is needlessly confusing for users. Using the standardized industry names will allow for people to recognize the strains. People need different strains for different relief. Patients are confused. They could accidentally buy the wrong strain and not get the right medicine that they need.
- Rep. Conley said many other states already allow for the use of commercial names.

Hon. Tim Josephson

- Mr. Josephson said he is a card-carrying caregiver for three people.
- This bill seeks to allow the full commercial name of cannabis to be printed.
- Mr. Josephson said, cannabis is an agricultural product with different lineages.
- Mr. Josephson recommended leafly.com to explain differences of strains.
- Mr. Josephson said, “Sativa LH” is different than “Sativa SC.” Just the initials listed can lead to a mix up. The wrong will not provide the right results for the medication necessary for a patient’s needs.
- Mr. Josephson told an anecdote about his mother struggling with identifying various strains by initials. He said, elderly patients feel like they are talking in code and it feels wrong and illegal.
- Mr. Josephson said, all other medications have names. What if “Claritin” was just labeled “CL?” It would be hard.
- Mr. Josephson said, there are arguments that strains with unique names may be tempting to children. The department did not make up these strain names, they go back decades. These packages look like medication—these packages do not have fun, colorful packaging. That type of packaging is for liquor stores, not medication. Any fears that children will be swayed by plain packaging is false.
- Mr. Josephson said, please hear the requests of people asking for clarity.

Helina Josephson

- Ms. Josephson testified in support of the bill.
- Ms. Josephson said she is a registered patient in the therapeutic cannabis program and that she would benefit from this bill.
- Ms. Josephson shared anecdote about using therapeutic cannabis and not knowing what strain she needs to treat her conditions.

Michael Holt, TCP-DHHS

- Mr. Holt testified as neutral on this bill. He said that he is the administrator of therapeutic cannabis program in the DHHS.
- Mr. Holt said he was here on behalf of Jerry Knirk, the chair of medical cannabis oversight board. The board reviewed this bill and voted to recommend support of this bill in a 5-2 vote.
- Mr. Holt said, our (department) rules prohibit the use of commercial strain names. When that rule when into effect two years ago, we received complaints from patients about the confusion of using acronyms.
- Mr. Holt said, the strain names originate from the recreational market.
- Senator Whitley asked, how does this impact ATC’s advertising and commercial names on social media?
 - Mr. Holt said, currently strain names are not allowed to be used on websites or social media sites. This bill would allow strain names used on products and websites. This bill is silent on social media sites as well. This continues a level of confusion.
- Senator Gray asked, if it is by rule, then couldn’t you amend that rule by not going through the legislative process?

- Mr. Holt said, if the legislature wants us to repeal our rule, then we will. We will not change the rule on our own because our position is neutral.
- Senator Avard asked, are there any benefits to changing the rule?
 - Mr. Holt said, we have received complaints, but we are neutral. There is no downside to the administrative program operating with this change.

Josh Beecher

- Mr. Beecher said he testified in support of the bill.
- Mr. Beecher said, cannabis is expensive and not covered by insurance and there is no guidance from doctors on which strain to pick.

Keenan Blum, Prime ATC

- Mr. Blum testified in support of the bill.
- Mr. Blum said, the use of acronyms has been a huge challenge for patients and staff. Staff can not recommend strains because they cannot tell what it is in comparison to other strains. Patients cannot remember what the initials they got before when they come back to get more. Staff and patients have to use a strain key to identify products.
- Mr. Blum said he would like to see an amendment that would allow use of commercial names on social media too because he does not want patients to have to use a guide just to read on social media.

Lee Cooper, Sanctuary ATC

- Ms. Cooper testified in support of the bill.
- Ms. Cooper said, Sanctuary ATC gets a lot of calls and emails from patients that need help identifying products.

Sian Leininger, Temescal Wellness

- Ms. Leininger testified in support of this bill.
- Ms. Leininger said, the current system creates confusion for patients differentiating between products and strains. Similarity in strains makes this especially difficult. Patients may use the wrong strains at the wrong time of the day because of the confusion caused by the currently naming system.
- Ms. Leininger said staff and patients must rely on the use of strain keys.

Kate Frey, New Futures

- Ms. Frey said New Futures is OK with the bill as written, but she testified in opposition of an amendment allowing the use of commercial names on social media.
- Ms. Frey said, the social media part was a problem with department because social media has targeted post/ads. Social media can target certain audiences, such as youth or young adults that can find these commercial names more enticing.
- Ms. Frey said, ATCs can easily avoid the social media rule by just having a post that defers to website instead.

- Ms. Frey said, patients are more familiar with commercial strains and understand the product. New Futures is OK with websites using the commercial names of the strains but, but social media is a totally different territory.
- Ms. Frey said, the therapeutic cannabis oversight board was clear about this bill and they were concerned about commercial names on social media.

August Ravvingar

- Mr. Ravvingar testified in support of the bill.
- Mr. Ravvingar said, using commercial names would lead to a more efficient system.

Melissa Wareing

- Ms. Wareing testified in support of the bill.
- Ms. Wareing said she is a patient of Prime ATC.
- Ms. Wareing shared anecdote about using cannabis for kidney stone issues.
- Ms. Wareing said, elderly patients are struggling with the current naming system.

Grant Ellis

- Mr. Ellis testified in support of the bill.
- Mr. Ellis said he is a disabled and homebound cannabis patient.
- Mr. Ellis said, expanded use of medical cannabis results in less youth use
- Mr. Ellis said he supports an amendment allowing commercial names on social media.

KNK

Date Hearing Report completed: March 18, 2021

Speakers

Senate Remote Testify

Health and Human Services Committee Testify List for Bill HB240 on 2021-03-

Support: 11 Oppose: 0 Neutral: 1 Total to Testify: 5

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Josephson, Helina	helinahappy@gmail.com	Not Given	A Member of the Public	Myself	Support	Yes	3
Blum, Keenan	keenan@primeatc.com	(323)337-655	A Member of the Public	Prime ATC	Support	Yes	3
Josephson, Tim	josephsonth@gmail.com	603.523.2023	A Member of the Public	Myself	Support	Yes	3
Cooper, Lee	lcooper@sanctuarymed.com	978.319.5491	A Member of the Public	Sanctuary ATC	Support	Yes	3
Holt, Michael	michael.holt@dhhs.nh.gov	271-9234	State Agency Staff	DHHS/TCP	Neutral	Yes	3
Snyder, Logan	Not Given	Not Given	A Member of the Public	Myself	Support	No	3
Conley, Casey	caseymconley@gmail.com	207.232.1992	An Elected Official	Myself/prime sponsor	Support	No	3
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Support	No	3
Peters, Michele	nevermore0412@yahoo.com	603.391.7337	A Member of the Public	Myself	Support	No	3
Duplease, Aubrey	aubrey.ajs@gmail.com	603.475.0288	A Member of the Public	Myself	Support	No	3
RIVERA, CHRISTY	riverachristy@hotmail.com	603.244.6911	A Member of the Public	Myself	Support	No	3
Rivera, Ricardo	Not Given	Not Given	A Member of the Public	Myself	Support	No	3

Testimony

Kirsten Koch

From: Michele Peters <nevermore0412@yahoo.com>
Sent: Tuesday, March 16, 2021 7:48 PM
To: Kirsten Koch
Subject: Bill HB240 and HB350

Hello,

My name is Michele Peters and I am a qualifying patient for medical cannabis in New Hampshire. I use cannabis for chronic pain and PTSD. Due to anxiety, I need to be careful of what strain of cannabis I consume because some strains, like sativa leaning ones, may trigger a panic attack while indica leaning strains help my pain, anxiety, mood, and quality of life. It is extremely difficult for me to figure out what strains are being offered at Prime ATC because they can only use abbreviations. There is no way for me to find out what strains would be beneficial to me by just looking at their website and I can only find this out by driving 45 minutes to the dispensary, going inside, and talking to one of the knowledgeable people who work there and can direct me to which strain will help me. This is a tedious task for me however, because I can only make the 45 minute trip when I am having a low pain and low anxiety day. When I find a strain that works for me, I then know the abbreviation and can look for it on the online menu but if the strain is no longer available, I am once again left guessing what the abbreviation could stand for and trying to guess what could be helpful. During these trying times with COVID, I am trying to limit my time inside establishments including Prime ATC and do not wish to stand inside talking to an employee for a while trying to figure out what strain they have on hand that could help me- if they have any that day. I have wasted money on strains I guessed would be helpful but turned out to be something different than what my research on my guess told me. Having the dispensary tell me what the complete strain is on their website would be invaluable to me and my health and keep me from feeling worse from cannabis that is supposed to be helping me, all because I don't know what it's actually called.

For the same reasons of travel and guessing strains, being able to have even one plant to grow at home that is the strain I know 100% helps all my ailments, would also be an extremely beneficial bill to be passed for me. I would be able to have access to the strain that helps me the most even when the dispensary is out of it and I would no longer have to guess what I am getting. I wouldn't need to plan my 45 minute drive around pain and anxiety because I would have a supply at home. I would also save money being able to cultivate my own cannabis as buying it from the dispensary regularly is expensive and I am not always able to afford it as I am on a fixed income from Social Security Disability. While medical cannabis is extremely useful and life changing when I am able to consume it, sometimes cost causes me to run out for weeks at a time and live in pain and an anxious state until I am able to obtain more. Being able to cultivate even a single plant at home would help to keep my quality of life more stable since I would have access to cannabis when I need it regardless of money.

I ask you to please pass these bills to help me and countless others, have easier access to the life enhancing medicinal cannabis strains that we know work for us once we know their names, and to help us achieve relief from the medical problems we have through more affordable access by growing our own cannabis at home.

Thank you,
Michele Peters

Kirsten Koch

From: Jerry Knirk
Sent: Tuesday, March 16, 2021 7:30 PM
To: Jeb Bradley; James Gray; Tom Sherman; Becky Whitley; Kevin Avard; Kirsten Koch
Cc: Holt, Michael
Subject: HB 240 TCMOB testimony

HB 240, relative to identification of cannabis strain for therapeutic cannabis.
Position of Therapeutic Cannabis Medical Oversight Board (TCMOB).
Jerry Knirk, Chair, TCMOB March 16, 2021

TCMOB discussed HB 240 at their meeting on February 3, 2021. The following is a summary of the discussion.

HB 240 would permit expanded use of chemovar names (ie, commercial strain names) instead of current TCP requirement to not use these names in a public manner. ATCs are currently using undescriptive letters, numbers, and abbreviations.

Board concerns about the use of chemovar names:

Noted that some chemovar names (Amnesia Haze, Maui Wowie, Blue Haze, etc) are:

- o Evocative of partying and getting high and undermine the identity of dispensaries as therapeutic enterprises.
- o Attractive to adolescents

Board's view of favorable aspects of the bill:

It was noted by board and the public that chemovar names are helpful because they:

- o Are easier to remember by patients and providers
- o Are consistent strain names from state to state so are helpful when patients relocate
- o Reduce time of providers, dispensaries, patients in trying to identify what a patient has been dispensed.
- o Easier for providers to document.
- o Dispensaries spend a lot of time converting between the chemovar and the abbreviated names
- o The bill permits dispensaries to use the chemovar names on the website, but not on social media sites, therefore helping the patients, providers and ATCs but lessening the attraction to adolescents by not allowing the names on social media.

Board recommends support of this bill to the Legislature:

- o Vote: 5-2 (2 abstentions).

Kirsten Koch

From: Kate Frey <kfrey@new-futures.org>
Sent: Wednesday, March 24, 2021 8:57 AM
To: Jeb Bradley; James Gray; Tom Sherman; Becky Whitley; Kevin Avard; Kirsten Koch
Subject: SB 240, relative to cannabis strain names.
Attachments: SB 240 social media.doc

Importance: High

March 23, 2021

To: Senate Health and Human Services Committee Members
From: Kate Frey, New Futures Vice President of Advocacy.

Re: HB 240, relative to identification of cannabis strain for therapeutic cannabis.

As a follow up to the hearing last week on **HB 240, relative to identification of cannabis strain for therapeutic cannabis**, we wanted to follow up with our statement, that while New Futures does not have an issue with the original language within HB 240 that would allow Therapeutic Cannabis Alternative Treatment Centers (ATCs) to include commercial strain names on product labels and ATC website, **we oppose repealing the Department rule through legislation that prohibits using these names on ATC social media channels.**

Examples of commercial strain names sold at New Hampshire ATCs include *Alien Rift, Gorilla Bomb, Purple Haze, Pineapple Skunk, Kush, Banana Bread, CBD Yummy, LSD, Blueberry Headband* etc. Administrative rule He-C 402, prohibits forms of advertising through websites and social media that would induce, directly or indirectly, the purchase of cannabis by persons who are not qualifying patients or designated caregivers. In context, these strain names may not be controversial to patients, but out of context these strain names would appeal to youth.

Prior to the passage of these rules, some ATCs advertised these strain names through social media, which allowed them to “boost” sponsored posts, enabling them to appear on newsfeeds of individuals of a certain demographic (age, location, interest, etc) including individuals who may have never engaged with the site to begin with. Examples of past NH ATC social media posts with strain names are included below.

The targeted marketing of addictive products to adolescents is not new and has been historically utilized by the tobacco and alcohol industry. With the legalization of marijuana in several states and the boom of social media, the marijuana industry has followed suit. A recent study by Boston University School of Public Health researchers found that one in three youth in states with legal recreational cannabis engages with cannabis brands on social media. Published in the journal *Drug and Alcohol Dependence*, the study shows that this engagement goes hand-in-hand with use: **Adolescents who liked or followed marijuana marketing on social media were five times more likely to have used marijuana over the past year compared to those who did not, and adolescents who reported a favorite brand were eight times more likely**

We urge the committee to keep the exclusion of social media advertising of cannabis strain names.



Sanctuary ATC
October 19 at 1:37pm · 🌿

Lots of changes and new items have taken over at Sanctuary ATC! We are excited to announce our very own strain **Banana Bread Hybrid #14** is now available for all of our patients. This is a well balanced hybrid created from **Gorilla Bomb** crossed with **Combread**. We also have **Gorilla Bomb #2**, a different phenotype from **Gorilla Bomb #3**, now available.

Lastly, we have restocked on our mints, cookies, PB Cups, and we now have 5 different flavors of fruit chews; **Tropical Punch**, **Watermelon**, **Green Apple**, **Sour Lime**, and **Sour Grape**.

We are open until 7pm tonight and look forward to seeing you.



Sanctuary ATC
October 12 at 11:27am · 🌿

Another new strain and another new week! **Alien Riff** is back on our shelves after a hearty and full grow cycle. We also have restocked **Durban Poison** and **Gorilla Bomb**. Lastly, we now have **Purple Trainwreck** in .4g and .8g perolls. Come on in to see which therapeutic cannabis option best alleviates your pain and helps you feel YOU again!

Sanctuary ATC
medical, education, corporation

New Products

Indica #10 Alien Riff
THC: 25.56% CBD 0.86% CDB 2.40%

Effects: Relaxed, happy, euphoric, hungry, sleepy*
Medical Uses: Stress, insomnia, depression, pain, headaches*

Edibles
We have restocked our chocolate bars, fruit chews, and capsules!

Vape Pen Cartridges
We have two brand new cartridges available: Hybrid Girl Scout Cookies and Indica Afghan Kush!

<p>Current Strains</p> <p>CBD - Yummy</p> <p>Sativa - Durban Poison, Honey Skunk,</p> <p>Chocopee</p> <p>Indica - OG Kush, Purple Eclipse, SFV OG,</p> <p>Rush, Alien Riff,</p> <p>Hybrid - Pineapple Skunk, Strawberry,</p> <p>Headband, Red Beard, LSD, Gorilla Bomb</p>	<p>Current Pre-flora</p> <p>0.5g - OG Kush, Purple Eclipse, Blue</p> <p>Cherry, Purple Trainwreck,</p> <p>0.8g - Purple Trainwreck, Ghost Train,</p> <p>MEW, Blueberry Headband, Blue Cherry,</p> <p>Gorilla Bomb</p> <p>1g - Pink Cheese</p>
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688 Trolley Mountain Highway Plymouth, NH 03258 — sanctuaryatc.org — (603)346-4618

Sanctuary ATC
medical, education, corporation

New Products

Hybrid #14 - Banana Bread
THC: 23.07% CBD 0.07% CDB 0.01%

Effects: Relaxed, happy, euphoric, uplifted, sleepy*
Medical Uses: Stress, pain, lack of appetite, depression, insomnia*

Hybrid #15 - Gorilla Bomb #2
THC: 21.73% CBD 0.08% CDB 0.45%

Effects: Relaxed, happy, euphoric, sleepy*
Medical Uses: Stress, pain, depression, insomnia, headaches, lack of appetite*

Edibles
Peanut butter cups, mints, and cookies have been restocked! Try our brand new fruit chew flavor, sour grape!

Current Strains

CBD - Yummy

Sativa - Durban Poison, Honey Skunk, Chocopee

Indica - OG Kush, Purple Eclipse, SFV OG Kush, Alien Riff

Hybrid - Pineapple Skunk, Strawberry, Blueberry Headband, Red Beard, LSD, Gorilla Bomb #3, Banana Bread, Gorilla Bomb #2

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sanctuaryatc • Follow

sanctuaryatc Mc Gannigan our lead cultivator holding a nice bouquet of our Yummy CBD strain! Now this bouquet is on to trim, #sanctuaryatc #sanctuaryatc #therapeuticcannabis #mccannabis

janetleg93 Can I use that for my wedding bouquet?? 🌿🌿🌿

rudnik1 I'll remember correctly that cdb strain smells like Fruity Pebbles. 🌿

vaughn_jamie @rudnik1 I think the last batch smelled like Christmas trees

vaughn_jamie Has this batch been tested yet? Also, what is the ratio?

sanctuaryatc @vaughn_jamie went for testing today!

👍👍
27 likes

Add a comment...

Kate Frey
Vice President of Advocacy, New Futures
100 North Main St, 4th Floor
Concord NH 03301
225-9540 ext 110





MEMO TO: Senate Health, Human Services and Elderly Affairs Committee

DATE: March 17, 2021

CONTACT: sian@temescalwellness.com

Testimony in Support of HB 240:

Sian Leininger, Director of Retail, On Behalf of Temescal Wellness Alternative Treatment Center

Good morning Chairman and members of the Committee. My name is Sian Leininger, I am the Director of Retail for Temescal Wellness of NH, which operates two of the four Alternative Treatment Center licenses in NH, with a therapeutic cannabis production facility in Manchester, and dispensaries in Dover, Lebanon, and a soon to be satellite location in Keene.

We are in support of HB 240 because it will meaningfully help NH patients better understand and utilize their therapeutic cannabis.

Since the initial implementation of the rule that prohibited the use of strain names, we have been using abbreviations and have found that it creates confusion and is more difficult for patients to differentiate between strains. Keeping groups of randomly assorted letters straight is more difficult for our brains than keeping track of product names. Some patients report greater difficulty remembering which strains worked well for them for different situations, particularly if the abbreviations are similar. This could potentially lead to a patient using a strain during the day that they would normally use at night or vice versa and ending up with a different effect than what their current need required.

We give out Strain Keys depicting the strain associated with each abbreviation, but this is an additional piece of paper to keep track of rather than simply being able to read the label of the product you are consuming. We get consistent phone calls and emails from patients confused about the strain abbreviations and would like to see this burden eliminated for them.

This bill would eliminate a source of confusion for NH patients and allow them to have a better, more informed, and safer experience with their therapeutic cannabis.

Thank you Chairman Bradley and the members of the committee.

My name is Tim Josephson, former representative in the State House, and this was a bill that Representative Conley was kind enough to shepherd through for me this session. For the record, I am a card-carrying caregiver for therapeutic cannabis for 3 people -- my wife, my mother-in-law, and one more person -- a member of the House.

The bill seeks to allow the full commercial name of cannabis strains to be printed on the labeling of therapeutic cannabis at the Alternative Treatment Centers (dispensaries) in New Hampshire. If you are not familiar with strain types of cannabis, it is an agricultural product and as such, has different lineages. You can think of it similarly to different varieties of apples -- Galas are different from Northern Spy different from Macintosh different from Granny Smith, etc etc. Cannabis strains also have a wide variety of differences between strains, but the effects are more pronounced than just being sweeter, tarter, or better for a pie. One website that may be of great use to you here would be Leafly.com -- it details all the different strains, and from their website is a little description about the differences in strains. "Marijuana strains are organized into three primary types: sativa, indica, and hybrid. Each type of strain has unique effects on both the mind and body. For example, sativa strains are uplifting and pair well with activities like social gatherings and being physically active. On the opposite end of the strain spectrum, indica strains are relaxing and can help amplify a deep level of physical sedation - making indica great for those times when you need deep sleep. Lastly, there are hybrid strains which fall between indicas and sativas. Hybrid strains offer a combination of both energizing and relaxing effects. Hybrid strains are great for the times when it's too late for an energizing sativa or too early for a sedating indica strain." (leafly.com)

And so while the NH rules permit the differentiation between Indica, Sativa, and Hybrid, it effectively stops there. In NH, the ATCs are not allowed to put the commercial strain name on the packaging, they have to use abbreviations. You can have Sativa LH which is different from Sativa SC, each doing different things. Perhaps LH is good for appetite while SC is good for energy. The Hybrid category can be more confusing since some hybrids lean towards sativa and some lean towards indica, and just having initials can lead to mixups, as one hybrid might be what you need in the afternoon because it helps your chronic pain without too much energy late in the day, but not enough to make you sleepy.

I first became aware of this problem when my mother-in-law got her cannabis card. She shared with me the labeling system and its confusion of only allowing initials and not names, and so, with her getting up there in age and driving being an issue, I became a caregiver for her. While helping her navigate names and strains, it was definitely confusing with the different initials and I wondered, if this is confusing for me, what do you think it's like for the elderly and disabled patients who need their medication? It's confusing for people, there's no other way to say it. These folks are from a time when cannabis was fully illegal, and by having to use code it gives this legitimate medical product an air of illegitimacy or shadiness. She feels like she is still having to sneak around to ask me to pick up her medication when it would be much more legitimate and concise for her to say "I need some Northern Lights and Point Break." instead of

saying “hey, I need some...stuff.” Why is this medication being censored? We don’t do this with the medications we get in pill form. Can you imagine? Your pill bottles are now all blank, and Lipitor is LP, Prozac is PZ and Claritin is CL. Now fill up your medicine cabinet with bottles that just have initials on them, and try to sort it out. Many people take lots of different medications daily, and strains of cannabis are no different.

I spoke with the folks at the dispensaries and when I asked about the naming system, I was told that they were not allowed to put the actual names on the containers due to a rule at DHHS. This seemed ridiculous to me -- why would they not be able to say the actual name? I was told that it was because of the children and true labeling of strain names would be too tempting for them. Yes, there are strains named things like Girl Scout Cookies, Fruity Pebbles, and Bubblegum Kush, but these strains are named from the lineage of the plants that created each strain and as such, important to be aware of, especially for patients who are seeking to find specific strains to treat specific conditions. If someone needs a strain that helps with appetite, they should be able to tell that the strain comes from a line that treats that condition. The dispensaries did not come up with these names, these are heirloom varieties and some old names go back decades. Again, I stress -- this is a long-established system that other states have used just fine. I have researched other state rules and laws and I cannot find any other state with this amount of censorship on our medication. There is no reason to censor ourselves among adults.

This information would be in plain font on a medical package similar to a pill bottle. It would not be in snazzy packaging, attractive labeling and colorful fonts. That is what we use in our liquor stores -- one quick look at the schnapps on the state liquor store website reveals names like 99 Bananas, Buttershots Burst, Hot Damn Cinnamon, and Lucious Pomegranate Pleasure. If we can label our liquor like THAT, why can’t we label our medical packaging with a plain font? Kids are allowed in our liquor stores and can see the colorful packaging there and we are fine with it. Kids are not allowed inside of dispensaries -- only patients.

The therapeutic cannabis program has been in effect for several years now, and any fears that children would be swayed by a plain label on a medication container should be long-gone. Dispensaries have been helpful in producing a little strain guide with full names that you can get in person, but what happens when the patient loses that sheet? What happens when the dispensary gets new inventory? Clear labeling on packaging would help. In the initial consultation with a dispensary, patients are told about the requirements to secure their medications and to keep it away from children -- this is more, I might add, than what you are told when given any prescriptions from your doctor. Patients are very aware of the penalties for not taking care of their medication.

In conclusion, I ask that the committee hear the request of people for clarity on their medication. A well-informed patient can make the best decisions for their medical care, and we should not put up barriers to information. Thank you for your time, and I am happy to take any questions.

Voting Sheets

Senate Health and Human Services Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 240

Hearing Date: 3/17/21

Executive Session Date: 4/14/21

Motion: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion: Consent Calendar Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Avar	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Avar	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Bradley

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, April 14, 2021

THE COMMITTEE ON Health and Human Services

to which was referred **HB 240**

AN ACT

relative to identification of cannabis strain for
therapeutic cannabis.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Jeb Bradley
For the Committee

This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website. This bill allows ATCs, staff, and patients to clearly identify strains of cannabis without the use of strain keys. This bill eliminates needless confusion in identifying specific strains of cannabis. The changes in this bill allow for patients to confidently purchase the specific strain of cannabis that is necessary to treat their condition(s).

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

HB 240, relative to identification of cannabis strain for therapeutic cannabis.

Ought to Pass, Vote 5-0.

Senator Jeb Bradley for the committee.

This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website. This bill allows ATCs, staff, and patients to clearly identify strains of cannabis without the use of strain keys. This bill eliminates needless confusion in identifying specific strains of cannabis. The changes in this bill allow for patients to confidently purchase the specific strain of cannabis that is necessary to treat their condition(s).

General Court of New Hampshire - Bill Status System

Docket of HB240

Docket Abbreviations

Bill Title: relative to identification of cannabis strain for therapeutic cannabis.**Official Docket of HB240.:**

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Health, Human Services and Elderly Affairs HJ 2 P. 40
1/27/2021	H	Public Hearing: 02/02/2021 11:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/91285911171 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/17/2021	H	Committee Report: Ought to Pass with Amendment #2021-0237h (Vote 21-0; CC) HC 12 P. 7
2/24/2021	H	Amendment #2021-0237h : AA VV 02/24/2021 HJ 3 P. 10
2/24/2021	H	Ought to Pass with Amendment 2021-0237h: MA VV 02/24/2021 HJ 3 P. 10
3/4/2021	S	Introduced 03/04/2021 and Referred to Health and Human Services; SJ 7
3/10/2021	S	Remote Hearing : 03/17/2021, 09:15 am; Links to join the hearing can be found in the Senate Calendar; SC 15
4/14/2021	S	Committee Report: Ought to Pass, 04/22/2021; Vote 5-0; CC; SC 20
4/22/2021	S	Ought to Pass : RC 23Y-1N, MA; OT3rdg; 04/22/2021; SJ 12
5/26/2021	S	Enrolled Adopted, VV, (In recess 05/20/2021); SJ 17
5/26/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 104
6/9/2021	H	Signed by Governor Sununu 06/04/2021; Chapter 62; Eff: 08/03/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 240

Senate Committee: HHS

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted): None

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Kirsten Koch
Committee Aide

7/26/21
Date

Senate Clerk's Office AK