

HB 599-FN - AS INTRODUCED

2021 SESSION

21-0043

11/05

HOUSE BILL                    ***599-FN***

AN ACT                    relative to the therapeutic cannabis medical oversight board.

SPONSORS:            Rep. Acton, Rock. 10; Rep. M. Pearson, Rock. 34

COMMITTEE:        Health, Human Services and Elderly Affairs

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ANALYSIS

This bill requires the medical director of the department of health and human services to conduct a review of qualifying medical conditions under the therapeutic cannabis law. The bill also requires members of the therapeutic cannabis medical oversight board to disclose certain conflicts of interest before participating in matters in which such conflicts of interest exist.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the therapeutic cannabis medical oversight board.

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

1       1 Statement of Intent. The general court recognizes its obligation to ensure the medical  
2 oversight board adheres to standard state conflict of interest provisions. Even the perception of  
3 conflict of interest could adversely impact the board's statutory role to monitor and contribute to the  
4 oversight of the clinical, quality, and public health related matters of the use of cannabis for  
5 therapeutic purposes. The general court also recognizes its obligation to protect the health and  
6 safety of the 8,302 qualified patients enrolled in the therapeutic cannabis program (TCP 2019  
7 Annual Data Report). The United States Surgeon General and the Centers for Disease Control and  
8 Prevention have issued recent advisories on the health risks and side-effects of marijuana use.

9       2 Medical Director; Review Required. The medical director, department of health and human  
10 services, as chairperson of the therapeutic cannabis medical oversight board, is directed to conduct a  
11 review of the current medical and scientific evidence pertaining to approved qualifying medical  
12 conditions under RSA 126-X:1, IX and make recommendations to the commissioner to add or remove  
13 qualifying medical conditions pursuant to subparagraph RSA 126-X:12, IV(a). This review should  
14 include, but not be limited to, recent scientific advances in treatment for glaucoma, epilepsy, PTSD  
15 and autism spectrum disorder now in use since passage of the therapeutic cannabis law in 2013.

16       3 Report Required. The commissioner of the department of health and human services shall  
17 report on recommended legislation based on the medical director's findings no later than 90 days  
18 after the passage of this act to the joint legislative oversight committee on health and human  
19 services established pursuant to RSA 126-A:13.

20       4 Therapeutic Cannabis Medical Oversight Board; Membership. Amend the introductory  
21 paragraph of RSA 126-X:12, II to read as follows:

22       II. The board shall consist of the medical director, department of health and human services,  
23 or designee, a qualifying patient, appointed by the commissioner of the department, a clinical  
24 representative from an alternative treatment center, appointed by the commissioner, and 10 medical  
25 providers also appointed by the commissioner. ***Board members shall, prior to participating in  
26 any matter, disclose whether they have a private, financial, or pecuniary interest which  
27 may directly or indirectly affect or influence the performance of their duties relative to  
28 that matter.*** The medical provider members shall represent the following fields:

29       5 Effective Date.

30       I. Sections 1 and 4 of this act shall take effect 60 days after its passage.

31       II. The remainder of this act shall take effect upon its passage.

**HB 599-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                      relative to the therapeutic cannabis medical oversight board.

**FISCAL IMPACT:**    ☒ **State**                      ☐ **County**                      ☐ **Local**                      ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill makes several changes to the therapeutic cannabis medical oversight board, including:

1. Transferring responsibility from certain clinical review and research functions from the 13-member board to the Medical Director of the Department of Health and Human Services. Such review would involve a combination of 21 identified diagnoses.
2. Requiring that the above review be completed and reported to the Joint Legislative Oversight Committee on Health and Human Services within 90 days of the bill's passage. The Department notes that this is an additional reporting requirement beyond the current annual reporting requirement of the board.
3. Adding language related to conflict of interest of board members, requiring disclosure of a private, financial, or pecuniary interest in certain board matters.

The Department states that (1) and (2) above would require additional resources, but that the amount of any such increase is indeterminable.

Any fiscal impact is assumed to take place in FY 2022 and beyond.

**AGENCIES CONTACTED:**

Department of Health and Human Services