Victor H Chou, M.D.

Medical Marijuana in Louisiana

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Biography

- Victor H Chou, M.D.
- First Medical Marijuana clinic in Louisiana
- Has consulted with hundreds of patients
- Testified at the Louisiana State Board of Medical Examiners
- Interviewed by over a dozen media outlets
Disclosures

- Every Day Optimal CBD
- Marketing Agreement
Contents

- Legal Framework
- TMR Permit
- Recommendation Procedure
- Product Information
- Miscellaneous Topics
Legal Framework

- Alison Neustrom Act passed in 2015
- Subsequent revisions in 2016 and 2018
- The basis for the Louisiana Medical Marijuana program
Legal Framework

- Federal law is very clear on medical marijuana
  - IT IS ILLEGAL
  - It is a Schedule 1 Controlled Substance
    - No currently accepted medical use and a high potential for abuse
Legal Framework

- There are 3 main providers of medical marijuana services in Louisiana
  - Dispensaries
  - Producers
  - Physicians
- A physician cannot both Recommend and be involved with dispensing or producing
Legal Framework

- **Dispensaries**
  - Only 9 dispensaries are allowed in the entire state.
  - Each metropolitan area will have one dispensary
    - Houma, New Orleans, Madisonville, Baton Rouge, Lafayette, Lake Charles, Alexandria, Shreveport, Monroe
  - Supervising authority - Louisiana Board of Pharmacy
Legal Framework

❖ Producers
  ❖ Only two entities are allowed to produce the medical marijuana
  ❖ Louisiana State University
    ❖ Subcontractor - GB Sciences
  ❖ Southern University
    ❖ Subcontractor - Advanced Biomedics
  ❖ Supervising authority - Louisiana Department of Agriculture and Forestry
TMR Permit

- Therapeutic Marijuana Registration (TMR) Permit
  - Required for any physician to recommend medical marijuana
  - Not required for FDA approved medications
    - dronabinol (Marinol)
    - cannabidiol (Epidiolex)
TMR Permit

- Physicians
  - No limit on the number of physicians who can provide medical marijuana recommendations
  - Any physician with an unrestricted medical license is eligible for a Therapeutic Marijuana Permit (TMR) from the LSBME unless
    - you are the subject of a current board investigation
    - you have been disciplined within the past 10 years for issues relating to personal use of controlled substances
    - you have participated in illegal activities involving controlled substances
TMR Permit

- Application Procedure
  - Submit the TMR application to LSBME
  - Obtain a background check from the Louisiana State Police
  - Complete a board approved online course
  - Pay a $75 application fee
  - Obtain Schedule 1 authority on your CDS license from the Board of Pharmacy
Recommendation Procedure

❖ The actual process is quite simple
❖ Patient comes to a TMR permitted doctor and receives a recommendation
❖ Patient goes to licensed dispensary to pick up their medical marijuana
❖ Unlike other states, there is no identification card or state registration
Recommendation Procedure

❖ Patient Qualifications
  ❖ Has to be a Louisiana resident
  ❖ Must have a qualifying medical condition
  ❖ Cannot have any disqualifying attributes
Recommendation Procedure

- Qualifying Medical Conditions (2015)
  - Seizures/Epilepsy
  - HIV/AIDS
  - Multiple Sclerosis
  - Crohn’s Disease
  - Muscular Dystrophy/Spasticity
  - Cancer
  - Cachexia/Wasting Syndrome
Recommendation Procedure

- Qualifying Medical Conditions (2018)
  - Glaucoma
  - Severe muscle spasms
  - Parkinson’s
  - Chronic (intractable) pain
  - PTSD
Recommendation Procedure

- Qualifying Medical Conditions (2018)
  - Autism
    - Patient must exhibit behavior that affects the physical health of the patient or public
Recommendation Procedure

❖ Disqualifying Attributes

❖ Evidence of controlled substance abuse, diversion, or addiction

❖ Patient has not attempted, considered, completed, or declined conventional therapy
Recommendation Procedure

- Recommendation Form
  - Patient - Name, Address, Date of Birth
  - Physician - Name, Address, Telephone Number, Email, TMR Number, CDS Number
  - Dispensary - Date, Name, Address
  - Product - Form, Amount, Dosage, Instructions
- Recommendations cannot exceed a 30 day supply and no refills can be provided
Product Information

- Tincture available in 30cc bottles
- Each bottle will have 100mg of full spectrum cannabinoids
  - THC (Sativa, Indica)
  - CBD
  - 50: 50 Combinations
- Anticipated release date - Spring 2019
- Whole sale price - $40 (retail price likely double)
Product Information

- Allowable forms of medial marijuana
  - Tincture
  - Edible
  - Capsule
  - Topical
  - Suppository
- Cannot use any inhaled, smokable, or raw forms of marijuana
Miscellaneous Topics

- Continuing Medical Education
- Cannabidiol (CBD) from Hemp
- Legal Exposure
Miscellaneous Topics

- Continuing Medical Education
  - Review the LSBME TMR Guidelines
- Online References
  - Society of Cannabis Clinicians, Project CBD, Healer
- In Person Conferences
  - MJ for MDs, CannMed, Florida Medical Cannabis Conference and Exhibition
Miscellaneous Topics

- Cannabidiol (CBD)
  - CBD is present in both marijuana and industrial hemp
  - CBD that is purchased in a retail outlet or online without a recommendation is produced from industrial hemp
  - Contains <0.3% THC
Cannabidiol (CBD)

- There is a lot of debate regarding whether CBD is legal federally or in Louisiana
- There appear to be conflicting federal laws and administrative rulings
- The Board of Pharmacy has ruled that its licensees CANNOT sell CBD unless participating in the Louisiana medical marijuana program
- 2018 Farm Bill - passed Congress
Miscellaneous Topics

❖ Legal Exposure
  ❖ You are protected from local prosecution for lawfully participating in the medical marijuana program
  ❖ However, you are still violating federal law
    ❖ Sanctions could include criminal and civil penalties, including loss of Medicare eligibility, DEA license, incarceration, and fines
  ❖ There is also medical malpractice risk
Questions

❖ Questions
Thank You

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