

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 21, 2015 – 8:00 a.m. – Room 445 State Capitol

Members Present:

Sen. Evan J. Vickers, Senate Chair
Rep. Kay L. McIff, House Chair
Sen. Allen M. Christensen
Sen. Luz Escamilla
Sen. Mark B. Madsen
Sen. Brian E. Shiozawa
Rep. Stewart Barlow
Rep. Melvin R. Brown
Rep. Rebecca Chavez-Houck
Rep. Craig Hall
Rep. Timothy D. Hawkes
Rep. Sandra Hollins

Rep. Paul Ray
Rep. Edward H. Redd
Rep. Robert M. Spendlove
Rep. Norman K Thurston
Rep. Raymond P. Ward

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Gregg A. Girvan, Policy Analyst
Ms. Cathy J. Dupont, Associate General Counsel
Ms. Lee A. Killian, Associate General Counsel
Ms. Lori Rammell, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Vickers called the meeting to order at 8:13 a.m.

1. Suicide Prevention Report

In accordance with 2015 General Session H.B. 364, "Suicide Prevention Amendments," Mr. Doug Thomas, Director of the Department of Human Services' Division of Substance Abuse and Mental Health, reported on the implementation of the state's suicide prevention program. Mr. Thomas reported that the state has taken a public health approach to addressing suicide by working with agencies, health plans, and hospitals to prevent suicides and collect related data. He reported that rates of suicide in the state appear to be slightly lower in 2014 than in 2013, which he attributes to this cooperative effort.

2. Committee Business

MOTION: Rep. McIff moved to approve the minutes of the August 19, 2015, meeting. The motion passed unanimously with Sen. Christensen, Sen. Escamilla, Rep. Barlow, Rep. Chavez-Houck, and Rep. Hollins absent for the vote.

3. Medical Marijuana

Chair Vickers reviewed the committee's options for taking action on the topic of medical marijuana, either at this meeting or the next.

Mr. Peter Haglin, military veteran and sufferer of post-traumatic stress disorder (PTSD), reported that 22 veterans per day are committing suicide, and the current treatment paradigms are not working. He described his own background in the military and the nature of his PTSD symptoms. He said that few remedies for PTSD are available, but some veterans are finding therapeutic effects from cannabis.

Sen. Madsen presented "Utah's Medical Cannabis Program" and outlined elements of his possible draft legislation, including the licensing of cannabis cultivators, processors, testing laboratories, and dispensaries; restrictions on patient eligibility; requirements to become a recommending physician; and the

creation of a state verification database available to law enforcement. Sen. Madsen responded to questions from the committee by clarifying which specialists would be qualified to prescribe medical cannabis, how different forms of cannabis plants and their contents would be regulated (and how that regulation would be paid for), and the projected number of patients who would seek treatment from medical cannabis. He stated that as many as eight lives would be saved in the state each month by legalizing the use of medical cannabis as an alternative to opioids.

Chair Vickers turned the chair over to Rep. McIff.

Rep. Brad M. Daw distributed draft legislation "Medical Cannabidiol Amendments" (2016FL-0041/008).

Rep. Daw discussed his approach to legalizing cannabis for medical use. He highlighted four basic principles underlying his approach and addressed plant production, processor licensing, distribution, qualifying diseases, recommendations by doctors, research licensing, and how to handle funds associated with cannabis transactions. (See slide presentation "Medical Cannabis.")

Sen. Vickers discussed options for legalizing medical cannabis and suggested that cannabis should be treated like a medicine. He estimated that the number of patients with qualifying diseases under Rep. Daw's draft legislation would be 2,000 – 5,000 if the definition of "qualifying diseases" does not include chronic pain.

Sen. Vickers and Rep. Daw responded to questions from the committee regarding the forms and dosages of cannabidiol that would be available under the draft legislation and the regulation and number of potential dispensaries. They clarified that the draft legislation would permit the availability of state-regulated cannabidiol, but not state-regulated tetrahydrocannabinol (THC).

Ms. Erin Worland described how her son Collin was killed by a marijuana impaired driver. She said that the laws on marijuana use are not strict enough and that the driver was charged with nothing more than Driving Under the Influence. She also described her brother, a resident of Colorado and recreational marijuana user, who died as a result of marijuana use. She recommended that the Legislature, if it decides to legalize medical cannabis, regulate it heavily and consider the consequences carefully.

Ms. Jennifer Dailey, Utah Academy of Family Physicians, spoke in opposition to Sen. Madsen's possible legislation. She said that the academy suggests marijuana be rescheduled as a Schedule II drug, so that appropriate research can be conducted. Without more research, she said, marijuana should not be legalized for medicinal purposes.

Dr. Lynn Alvord said that he could provide the committee with his 75-page review of research on medical marijuana, categorized by medical disorder. He indicated that he is not aware of any organization or major study recommending the medical use of marijuana, in any form, at the present time.

Ms. Michelle McOmber, Utah Medical Association, said that there are treatment alternatives for PTSD that are not alcohol and are not addictive. She said the association is opposed to Sen. Madsen's potential legislation, based on the lack of evidence of the effectiveness of marijuana for medical purposes. She said there is an important distinction between cannabidiol products and plant products. She also expressed concern about the potential role of the Controlled Substance Advisory Committee, which includes nonmedical members.

Chief Tom Ross, Bountiful Police Department, and President, Utah Chiefs of Police Association, expressed concern with the social impacts of legalizing medical marijuana. He stated that Colorado has seen a

significant increase in the number of youth using marijuana since its legalization, and he predicted the same impact in Utah. He said marijuana is a gateway drug and, despite helping some patients, it will potentially hurt many more, including the state's youth.

Dr. Steven Pulley, anesthesiologist and pain management physician, stated that Utah has a high rate of opioid-related deaths. He stated that research suggests that cannabinoids have minimal toxicity and are a viable alternative to opioids.

Chair McIff turned the chair back to Sen. Vickers.

Chair Vickers previewed the committee's November agenda.

4. Third-Party Medical Liability

Rep. McIff said that he has had discussions with the Utah Medical Association and plaintiffs about how to respond to the Utah Supreme Court's decision in *Jeffs v. West*. He said he would come back to the committee in November to report on a statutory tweak to address the issue.

5. Adjourn

Rep. Chavez-Houck distributed to committee members an invitation to attend presentations at the University of Utah School of Medicine on the topic of death with dignity.

MOTION: Rep. Thurston moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Shiozawa, and Rep. Brown absent for the vote.

Chair Vickers adjourned the meeting at 10:50 a.m.