

By: Crockett

H.B. No. 1233

A BILL TO BE ENTITLED

AN ACT

relating to prescribing low-THC cannabis under the Texas
Compassionate Use Program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 169.002, Occupations Code, is amended to
read as follows:

Sec. 169.002. PHYSICIAN QUALIFIED TO PRESCRIBE LOW-THC
CANNABIS [~~TO PATIENTS WITH CERTAIN MEDICAL CONDITIONS~~]. (a) Only a
physician qualified [~~with respect to a patient's particular medical
condition~~] as provided by this section may prescribe low-THC
cannabis in accordance with this chapter [~~to treat the applicable
medical condition~~].

(b) A physician is qualified to prescribe low-THC cannabis
to alleviate the symptoms of [~~with respect to~~] a patient's
particular medical condition or the symptoms caused by other
treatments for that medical condition if the physician:

(1) is licensed under this subtitle;

(2) is board certified in a medical specialty relevant
to the treatment of the patient's particular medical condition by a
specialty board approved by the American Board of Medical
Specialties or the Bureau of Osteopathic Specialists; and

(3) dedicates a significant portion of clinical
practice to the evaluation and treatment of the patient's
particular medical condition, and the treatment of symptoms caused

1 by that medical condition and by other treatments for that medical
2 condition.

3 SECTION 2. Section 169.003, Occupations Code, is amended to
4 read as follows:

5 Sec. 169.003. PRESCRIPTION OF LOW-THC CANNABIS. A
6 physician described by Section 169.002 may prescribe low-THC
7 cannabis to a patient if:

8 (1) the patient is a permanent resident of the state;

9 (2) the physician complies with the registration
10 requirements of Section 169.004; and

11 (3) the physician certifies to the department that:

12 (A) the patient is diagnosed with a medical
13 condition that produces symptoms, or the treatment of which
14 produces symptoms, that are alleviated by medical use of low-THC
15 cannabis [+

- 16 [~~(i) epilepsy,~~
- 17 [~~(ii) a seizure disorder,~~
- 18 [~~(iii) multiple sclerosis,~~
- 19 [~~(iv) spasticity,~~
- 20 [~~(v) amyotrophic lateral sclerosis,~~
- 21 [~~(vi) autism,~~
- 22 [~~(vii) terminal cancer, or~~
- 23 [~~(viii) an incurable neurodegenerative~~
- 24 ~~disease]; and~~

25 (B) the physician determines the risk of the
26 medical use of low-THC cannabis by the patient is reasonable in
27 light of the potential benefit for the patient.

1 SECTION 3. Sections 169.001(1-a) and (6), Occupations Code,
2 are repealed.

3 SECTION 4. This Act takes effect September 1, 2021.