88R13938 JSC-D

By:  Morales Shaw H.B. No. 3535

A BILL TO BE ENTITLED

AN ACT

relating to the medical use of low-THC cannabis by patients with certain medical conditions.

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

SECTION 1.  Section 169.003, Occupations Code, is amended to read as follows:

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

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

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

(3)  the physician certifies to the department that:

(A)  the patient is diagnosed with:

(i)  epilepsy;

(ii)  a seizure disorder;

(iii)  multiple sclerosis;

(iv)  spasticity;

(v)  amyotrophic lateral sclerosis or another motor neuron disorder;

(vi)  autism;

(vii)  cancer;

(viii)  Parkinson's disease;

(ix)  cerebral palsy;

(x)  a brain tumor;

(xi)  vascular insult to the brain;

(xii)  a spinal cord disorder;

(xiii)  traumatic brain injury;

(xiv)  post-polio syndrome;

(xv)  muscular dystrophy;

(xvi)  myasthenia gravis;

(xvii)  peripheral neuropathy;

(xviii)  Huntington's disease, Friedreich's ataxia, spinocerebellar degeneration, or another [~~an~~] incurable neurodegenerative disease;

(xix) [~~(ix)~~]  post-traumatic stress disorder; or

(xx) [~~(x)~~]  a medical condition that is approved for a research program under Subchapter F, Chapter 487, Health and Safety Code, and for which the patient is receiving treatment under that program; and

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

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.