

Amend CSHB 46 (senate committee report) as follows:

(1) Strike the recital to SECTION 13 of the bill, amending Section 169.001, Occupations Code (page 4, lines 7 and 8), and substitute the following:

SECTION 13. Section 169.001, Occupations Code, is amended to read as follows:

Sec. 169.001. DEFINITIONS. In this chapter:

(1) "Chronic pain" means pain that is not relieved with acute, post-surgical, post-procedure, or persistent non-chronic pain treatment and is associated with a chronic pathological process that causes continuous or intermittent pain for more than 90 days from the date of the initial prescription prescribing treatment with an opioid.

(1-a) "Department" means the Department of Public Safety.

(2) [~~(1-a)~~] "Incurable neurodegenerative disease" means a disease designated as an incurable neurodegenerative disease by rule of the executive commissioner of the Health and Human Services Commission, adopted in consultation with the National Institutes of Health.

(2) In SECTION 14 of the bill, in amended Section 169.003(a)(3)(A)(x), Occupations Code (page 4, line 43), following the underlined semicolon, strike "or".

(3) In SECTION 14 of the bill, in amended Section 169.003(a)(3)(A)(xi), Occupations Code (page 4, line 44), between "(xi)" and "a", insert the following:

chronic pain; or

(xii)

(4) In SECTION 14 of the bill, in amended Section 169.003, Occupations Code (page 4, between lines 56 and 57), immediately following added Subsection (b) of that section, insert the following:

(c) The board by rule shall establish procedures for oversight and monitoring of physicians qualified to prescribe low-THC cannabis under this chapter to prevent low-THC cannabis prescription misuse.

(5) Add the following appropriately numbered SECTIONS to

the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 169.002, Occupations Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) Except as otherwise provided by this section, a [A] physician is qualified to prescribe low-THC cannabis with respect to a patient's particular 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.

(d) A physician is qualified to prescribe low-THC cannabis for a patient diagnosed with chronic pain only if the physician:

(1) meets the qualifications described by Subsections (b)(1) and (3); and

(2) is board certified or holds a subspecialty certification in pain medicine by a specialty board as described in Subsection (b)(2).

SECTION \_\_\_\_\_. As soon as practicable after the effective date of this Act, the Texas Medical Board shall adopt the rules required by Section 169.003(c), Occupations Code, as added by this Act.