

Medical Marijuana Commission

Minutes of Meeting
2021-2022 Interim
November 18, 2021

I. CALL TO ORDER

Chairman Joseph A. Marino, III, chairman of the Medical Marijuana Commission, called the meeting to order at 9:32 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Joseph A. Marino, III, chairman
Representative Debbie Villio, vice chairman
Representative C. Travis Johnson
Representative Jack G. McFarland
Representative Markham Scott McKnight
Representative Thomas A. Pressly, IV
Representative Troy D. Romero

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Nicholas Cole, attorney
Trinicia Bryant, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms

III. DISCUSSION

Chairman Marino opened the meeting with a video clip of Steve Gleason giving his testimony during a previous committee meeting.

Testimony from Dr. Mike Strain, Commissioner of Agriculture and Forestry, and Tabitha Irvin, Director of the Medical Marijuana Program - La. Department of Agriculture and Forestry

Commissioner Mike Strain, Louisiana Department of Agriculture and Forestry, 5825 Florida Boulevard, Baton Rouge, LA 70806, (225) 922-1233, spoke for information only. He explained that his department's main focus is to ensure consumers receive a pharmaceutical grade product that is safe and free from contamination. He also stated that the typical turnaround time for testing their products is within a four to five-day period.

Ms. Tabitha Irvin, Louisiana Department of Agriculture and Forestry, 5825 Florida Boulevard, Baton Rouge, LA 70806, (225) 922-1244, spoke for information only and provided a handout entitled "Response to MMJ Meeting 10.29.21", Exhibit A, which is included in the committee records.

Representative Pressly asked Ms. Irvin the reason for the delay in her department's rule change proposal process when the rules for Act No. 424 were being promulgated. Ms. Irvin stated she needed information from staff members who were out of the office with the COVID-19 virus, which caused some delay. However, she stated she completed the proposed rule changes within the required time frame.

Representative Pressly expressed his concern that the proposed rule changes would further delay the rulemaking process. Commissioner Strain explained that the rule changes were necessary but could not be done until the law changes came into effect.

Chairman Marino asked if the current law allows for laboratories other than the Louisiana Department of Agriculture and Forestry to test medical marijuana in the state. Ms. Irvin explained that the current law allows for other approved laboratories, but there are none at this time.

Commissioner Strain responded that other laboratories can be approved, but they would need to meet the necessary standards, and it would be at their own expense.

Representative McKnight suggested that the commission hold meetings outside of the committee format to have a question and answer discussion to find the true problems within the program and be able to ensure the process runs smoothly. Commissioner Strain agreed to be a part of those meetings.

Representative Villio asked if other states with medical marijuana programs require standard operating procedures and testing of equipment at the same level as the Louisiana Department of Agriculture and Forestry. Ms. Irvin replied yes and that most other states have outside laboratories that test products for them. Representative Villio expressed her concern regarding the micro management apparent in the comments from the department and that they might cause further delay in getting the products from the growers to the pharmacies, ultimately hindering patient access. Ms.

Irvin assured Representative Villio that her department follows the guidelines of the Louisiana Department of Health, and they include on labeled products the process of how to maintain products and how to store utensils for sanitation purposes. Representative Villio suggested that the rules oversight committee or legislative body, in their next session, review this issue carefully to help the program move forward and help patients have better access to the medicine.

Representative Romero asked if the department is currently testing other products besides medical marijuana. Commissioner Strain responded that the department's diagnostic laboratory is responsible for testing all regulatory products for the state. Representative Romero asked if the process would be streamlined if additional laboratories opened to strictly test medical marijuana. Commissioner Strain stated he would be in favor of giving other laboratories the opportunity to test medical marijuana, but their cost per unit and price of equipment would be very high.

Representative McFarland commented that the majority of physicians in his region do not recommend medical marijuana due to the limited number of dispensaries in the area and the burden it would be for patients to drive over an hour to get their medicine.

Testimony from physicians regarding the medical marijuana program

Mr. James Moses, MD, patient advocate, 604 Moss Street, New Orleans, LA 70119, (504) 858-4815, spoke for information only. He testified that as a practicing physician in New Orleans, the next steps in the medical marijuana expansion process should focus on best practices, increasing patient access, and decreasing cost. He suggested more strains become available to help treat more conditions and that there be campaigns and awareness for medical marijuana in the state to help patients better understand its benefits.

Dr. Jody Plaisance, private physician, 804 South Acadia Road, Thibodaux, LA 70301, (985) 665-3527, spoke for information only. He testified that cost and education on medical marijuana are the two major factors deterring his patients from moving forward with obtaining a recommendation. He suggested that the medical marijuana program work together with companies to help drive down the cost for patients, similar to what pharmaceutical companies do with prescription drugs.

Chairman Marino asked if there is an educational program for doctors who recommend medical marijuana that allows them to communicate regarding strain recommendations and dosage amounts. Dr. Moses stated he is only familiar with national societies for medical marijuana, and it would be beneficial and progressive for the state if they offered a type of dashboard where doctors can share information with each other.

Chairman Marino asked for recommendations on how to improve the program from a physician's perspective. Dr. Moses suggested physicians be a part of the extraction process to know whether or not chemicals are used and to be made aware of the types of strains used in the tinctures and creams to help form a better treatment plan for patients.

Chairman Marino asked if medical marijuana has been successful with treating different conditions. Dr. Plaisance responded yes and gave an example of his patient who suffered an injury and became addicted to the narcotics she was prescribed. As her health and well-being declined, Dr. Plaisance recommended she start taking medical marijuana. His patient's quality of life improved, and the recommendation replaced her narcotic medication. Dr. Moises attested that he has had many patients with debilitating conditions who similarly had positive outcomes after taking medical marijuana.

Representative C. Travis Johnson suggested there be an educational forum set up as more physicians begin to recommend medical marijuana to make it easier for them to collaborate in their findings.

Dr. Victor Chou, 12011 Bricksome Avenue, Suite D, Baton Rouge, LA 70816, (225) 800-3162, submitted a witness card to speak for information only. Dr. Chou had to leave the meeting prior to providing his testimony, but emailed a witness statement to Chairman Marino prior to adjournment of the meeting. Chairman Marino read the witness statement to the commission members.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 for information only. Copies of these statements are included in the committee records.

Testimony from medical cannabis patients

Ms. Jada Durden, patient, The Healing Clinics, 1751 Irving Place, Shreveport, LA 71101, (318) 754-6516, spoke for information only. She testified that switching from traditional medicine to medical marijuana to treat her conditions has changed her life. She listed her issues with the program, including the lack of diversity in products, cost, and patient access.

Ms. Angela Broussard, LAMMJ, 40225 Fenway Avenue, Prairieville, LA 70769, (225) 572-1235, spoke for information only and provided a handout entitled "Keepin' It Real MMJ Patient Testimonial", Exhibit B, which is included in the committee records.

Ms. Katie Mayers, patient advocate, no address provided, (225) 371-0123, spoke for information only. She explained that after multiple injuries and surgeries, medical marijuana helped save her life. She advocated for patient education on the medicine as well as making it more affordable.

Mr. Jonathan Brown, Common Sense NOLA, 8531A Green Street, New Orleans, LA 70118, (601) 447-3724, spoke for information only. He suggested expanding the program to allow for private growers, increasing the number of licensees, and allowing for third-party laboratory testing.

Mr. David Brown, 4200 Burgundy Street, New Orleans, LA 70117, (225) 224-6845, spoke for information only and provided a handout entitled "Brief On Absolute Need for Additional Cultivation in LA", Exhibit C, which is included in the committee records.

Ms. Katie Corkern, parent, 60588 Smilin Acres Road, Amite, LA 70422, (985) 507-8540, spoke for information only. She testified that she has a disabled son who has uncontrollable seizures. His prescribed medications caused severe side effects and were unsuccessful at controlling his seizures. After medical marijuana became legal in the state, her son's doctor recommended his first tincture. Over the course of two years, her son has been weaned off of several prescription medications, and his quality of life has been restored. Ms. Corkern thanked the commission for taking the step to eliminate the suffering for many Louisianans.

Ms. Katelynn Castleberry, Cannabis Council of Louisiana, 1512 Homestead Avenue, Metairie, LA 70005, (504) 331-0343, spoke for information only. She testified as the mother of an epileptic child who currently takes medical marijuana. She voiced her concerns about cost, regulations, and growers and dispensary owners having no federal tax credits to support their businesses.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 6 for information only. Copies of these statements are included in the committee records.

IV. PUBLIC TESTIMONY

Mr. John Davis, Good Day Farm Louisiana, 18350 Petroleum Drive, Baton Rouge, LA 70809, (225) 938-3305, spoke for information only. He stated that the takeaway from today's meeting is to work on regulations so that they can do right by patients.

Mr. Peyton Bush, Good Day Farm and Bollinger Enterprises, 400 Poydras Street, Suite 2480, New Orleans, LA 70130, (985) 790-7200, spoke for information only. He explained that from their company's perspective, the medical marijuana program is only fifteen months old after being finalized on August 1, 2020. From 2016 until then, he stated that the program was not investable or viable, which drove one of the two cultivators to solvency. He expressed that the regulatory framework is still taking shape and needs time to do so, given no one knows what the market will look like after all the issues have been addressed.

Witness cards for individuals who did not speak are as follows: 2 for information only. Witness cards are included in the committee records.

V. OTHER BUSINESS

Chairman Marino stated that the other order of business was to select a date for the next meeting. He tentatively scheduled the next meeting on December 16, 2021, pending the speaker's approval.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

Representative Villio offered a motion to adjourn. Without objection, the motion passed by a vote of 4 yeas and 0 nays. Representatives Marino, Villio, McKnight, and Romero voted yea.

The meeting was adjourned at 1:33 p.m.

Respectfully submitted,

Chairman Joseph A. Marino, III
Medical Marijuana Commission

Date adopted:

The committee has acknowledged on _____, that these minutes were prepared in accordance with the rules of the House of Representatives.