



TEXANS FOR RESPONSIBLE MARIJUANA POLICY



CSHB 3703 Overview

Limited Expansion of the Texas Compassionate Use Program

Authored by Rep. Stephanie Klick | Sponsored by Sen. Donna Campbell

Patient Access and Protections

- **Original Proposal:** Maintains dosing restriction of .5% THC, but removes restrictions on all other cannabinoids.
 - **Recommendation:** Remove cap on THC, allowing doctors the flexibility to determine what dosing is best for their patients.
- **Original Proposal:** Expands qualifying conditions to include epilepsy, multiple sclerosis, and spasticity.
 - **CSHB 3703** adds the following qualifying conditions: all seizure disorders, terminal cancer, incurable neurodegenerative disease, autism, and amyotrophic lateral sclerosis.
 - **Recommendation:** As approved by a super majority in the House, add the following debilitating medical conditions:
 - Cancer
 - Post-traumatic stress disorder
 - Alzheimer's disease
 - Parkinson's disease
 - Huntington's disease
 - Muscular Dystrophy
 - Tourette syndrome
 - Crohn's disease
 - Ulcerative colitis
- **Original Proposal:** Protects students who are registered T.CUP patients from discipline at/by the school for using low-THC cannabis.
 - **CSHB 3703** removes all student protections.
 - **Recommendation:** Add protection for patients, parents, and caregivers:
 - Shall not be subject to arrest, prosecution, or penalty in any manner, or denial of any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing.
 - No denial of parental rights; No prosecution for paraphernalia.
 - Students cannot be subject to any form of discipline solely because of possession or use of their medicine.



Physicians

- **Original Proposal:** Limits physician participation to only neurophysiology specialists, neurologists, and psychiatrists who are registered with the Compassionate Use Registry.
 - **CSHB 3707** requires that participating physicians be 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 dedicates a significant portion of clinical practice to the evaluation and treatment of the patient's particular medical condition.
 - **Recommendation:** All licensed physicians should be able to recommend cannabis.
- **Original Proposal:** Maintains problematic requirement for participating doctors to "prescribe" cannabis, jeopardizing the doctor's ability to prescribe controlled substances.
 - **CSHB 3703** defines "a prescription for medical use or a prescription for low-THC cannabis means an entry in the compassionate-use registry."
 - **Recommendation:** Allow doctors to recommend, not "prescribe" cannabis and "certify" patients through the Compassionate Use Registry.
- **Original Proposal:** All "prescriptions" must be confirmed by a second physician (does not have to be a specialist).
 - **CSHB 3703** removes the requirement for approval from a second physician.

Research (ENTIRE SECTION REMOVED)

- **Original Proposal:** Authorizes in-state low-THC cannabis research program managed by the Health and Human Services Commission (HHSC), which will establish research permitting requirements for health-related institutions, determine which conditions can be studied, and create all necessary rules to comply with the federal government.
 - **Recommendation:** Allow research to be done on the effects of THC.
- **Original Proposal:** Requires that all research be done through federal channels and is dependent upon federal approval.
 - **Recommendation:** Allow in-state research to be done with cannabis grown by Texas license holders, bypassing federal bureaucracy.

Cannabis Business Licensing (ENTIRE SECTION REMOVED)

- **Original Proposal:** Allows dispensary license holders to operate multiple locations throughout the state if DPS determines it is necessary to ensure patient access needs.
- **Original Proposal:** Requires dispensary license holders provide samples for testing if requested by DPS.
- **Recommendation:** Authorize the licensing or certification of independent laboratories for product testing and consumer protection.