

# Medical cannabis qualifying conditions

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# Presentation outline

# Background

The Utah Patients Coalition (UPC) would like the board to consider amending the statute to remove the list of qualifying conditions and replace it with an allowance for recommending medical providers to recommend medical cannabis for treatment of any qualifying condition.

# Qualifying conditions

- HIV or AIDS
- Alzheimer's disease
- Amyotrophic lateral sclerosis (ALS)
- Cancer
- Cachexia
- Crohn's disease or ulcerative colitis
- Epilepsy or debilitating seizures
- Multiple sclerosis (MS) or persistent and debilitating muscle spasms
- Autism
- Terminal illness with a life expectancy of <6 months
- A condition resulting in hospice care
- Persistent nausea that is not responsive to traditional treatment, but not related to:
  - Pregnancy
  - Cannabis-induced cyclic vomiting syndrome
  - Cannabinoid hyperemesis syndrome

# Qualifying conditions

- Post-traumatic stress disorder (PTSD) that is being treated and monitored by a licensed health therapist, and that:
  - Has been diagnosed by a healthcare provider at the Veterans Administration (VA); or
  - By a psychiatrist, masters-prepared psychologist, masters-prepared licensed clinical social worker (LCSW), or a psychiatric APRN; and
  - Documented in the patient's record.
- A rare condition or disease that affects <200,000 individuals in the U.S. and is not adequately managed by conventional medications (besides opioids or opiates) or physical interventions
- Acute pain that lasts 2 weeks or longer for an acute condition, such as a surgical procedure
- Persistent pain lasting longer than 2 weeks that is not adequately managed by conventional medications (besides opioids or opiates) or physical interventions

# Compassionate Use Board (CUB) - relevance and overview

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- For individuals without a qualifying condition or <21 years old.
- Must apply with support of a qualified medical provider.
- May approve, deny, or request more information for petitions.

# Disposition of CUB petitions submitted for individuals who did not have a qualifying condition

| Petition disposition      | Number of petitions |
|---------------------------|---------------------|
| Petitions approved        | 35                  |
| Petitions denied          | 2                   |
| Petitions incomplete      | 12                  |
| Total petitions submitted | 49                  |

# Cannabis Research Review Board (CRRB) - overview and relevance

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- Made up of 3 medical research professionals and 4 physicians.
- Reviews scientific research regarding medicinal cannabis treatment and develops guidelines for recommending medical providers.
- Statutorily held to an evidentiary standard and will identify if there is high-quality evidence to support the addition of other conditions to the statute.
- The CRRB recommends that no additional medical conditions be added to the statute's list of qualifying conditions at this time.



# Other state qualifying condition lists

- Of the 43 U.S. jurisdictions with medical cannabis programs, 37 states and 2 territories have a list of qualifying conditions.
- 3 states and the District of Columbia don't have a qualifying conditions list.
- Of the 16 U.S. jurisdictions with medical-only programs, Oklahoma is the only state without a list of qualifying conditions.

# Qualifying conditions in other states

| Condition                     | Adult-Use States | Medical-Only States |
|-------------------------------|------------------|---------------------|
| Glaucoma                      | 19               | 6                   |
| Parkinson's disease           | 9                | 4                   |
| Hepatitis C                   | 10               | 2                   |
| Tourette's syndrome           | 6                | 3                   |
| Neuropathic conditions        | 7                | 2                   |
| Huntington's disease          | 4                | 2                   |
| Sickle cell disease           | 3                | 5                   |
| Traumatic brain injury        | 3                | 3                   |
| Spinal cord injury or disease | 2                | 3                   |
| Muscular dystrophy            | 3                | 2                   |
| Opioid use disorder           | 3                | 2                   |
| Anxiety disorder(s)           | 2                | 2                   |
| Anorexia nervosa              | 3                | 1                   |
| Migraines                     | 3                | 1                   |

# Other state qualifying condition lists

- **Depression** is a qualifying condition in 1 state: Alabama, a medical-only state.
- **Debilitating psychiatric disorders** is a qualifying condition in 1 state: Missouri, an adult-use and medical state.
- **Obsessive-compulsive disorder** is a qualifying condition in 1 state: Michigan, an adult-use and medical state.
- **Insomnia** and **obstructive sleep apnea** are qualifying conditions in 1 state: New Mexico, an adult-use and medical state.
- **Substance use disorder** is a qualifying condition in 1 state: New York, an adult-use and medical state.

# Arguments for eliminating the medical cannabis qualifying condition list

1. Creates a patient-centered approach.
2. Removes the state from dictating what is and what is not an appropriate medical condition for treatment with medical cannabis.
3. Medical condition data will be more accurate.
4. Off-label prescribing is legal and common in the practice of medicine.

# Arguments against eliminating the medical cannabis qualifying condition list

1. People will join the program despite little or no evidence that medical cannabis is an effective treatment for their medical condition.
2. No qualifying condition list equates to a quasi-recreational program.
3. When compared to FDA-approved drugs, not a lot is known about medical cannabis so a list of qualifying conditions is necessary.
4. Individuals with non-qualifying conditions already may receive a medical cannabis card if their petition is approved by the CUB.

1. Maintain the existing qualifying condition list.
2. Approve an additional condition or conditions to be added to the qualifying condition list.
3. Add a special provision to the qualifying condition list allowing recommending medical providers to recommend medical cannabis for any condition in which they believe cannabis would be therapeutic or palliative.
4. Eliminate the qualifying condition list in favor of allowing medical cannabis recommendations for any condition, per the judgment of a recommending medical provider.

## **Recommendation options**