

**NABP 2009 Symposium: Are We Going to Legalize Medical Marijuana?
A Regulatory Approach—December 3, 2009**

**Déjà Vu:
Medical Marijuana in Iowa
1979 to 2009**



The background of the slide is a close-up photograph of cannabis plants, showing green serrated leaves and stems. The image is semi-transparent, allowing the text to be clearly visible.

History

On June 1, 1979, the Iowa Legislature appropriated \$247,000 to the Iowa Board of Pharmacy to establish a therapeutic research program.

Administrative rules existed for the “Medicinal Use of Marijuana” from October 1, 1979 to June 30, 1981, in 620 Iowa Administrative Code Chapter 12

Rules

620 IAC 12.1 Purpose.

To establish a research program for the investigational medical use of marijuana.

620 IAC 12.2(5) Physicians Advisory Group.

A committee of at least 3 physicians organized by the board was to be created for the purpose of advising and counseling the board.

The research program was never implemented.

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Dual Classification of Marijuana in Iowa Law

**Pursuant to Iowa Code § 124.204(4)(m)
Marijuana is Schedule I.**

**Pursuant to Iowa Code § 124.206(7)(a)
Marijuana is Schedule II
when used for medicinal purposes
pursuant to rules of the board.**

Legislative History in Iowa

Since the early 1990s there have been bills in the Iowa General Assembly nearly every session to allow marijuana for therapeutic purposes.

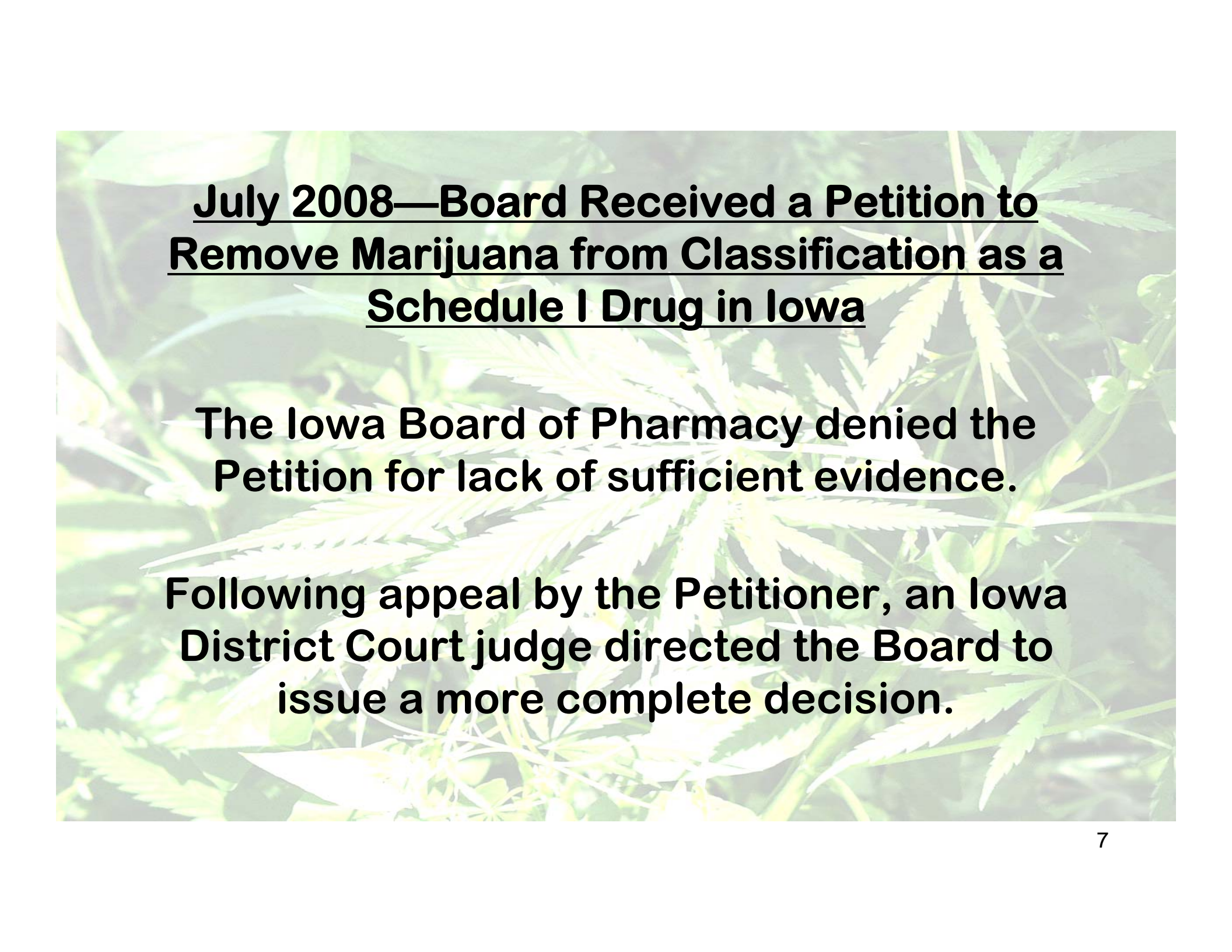
Responsibility for such programs has been assigned to:

- **Iowa Board of Pharmacy and/or**
- **Iowa Department of Public Health**

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Joint Resolutions

Many times the Iowa General Assembly has passed Resolutions calling on the President and the U.S. Congress to end federal prohibitions against marijuana's legitimate medical use by creating a rational system of prescriptive medical access to marijuana.

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**July 2008—Board Received a Petition to
Remove Marijuana from Classification as a
Schedule I Drug in Iowa**

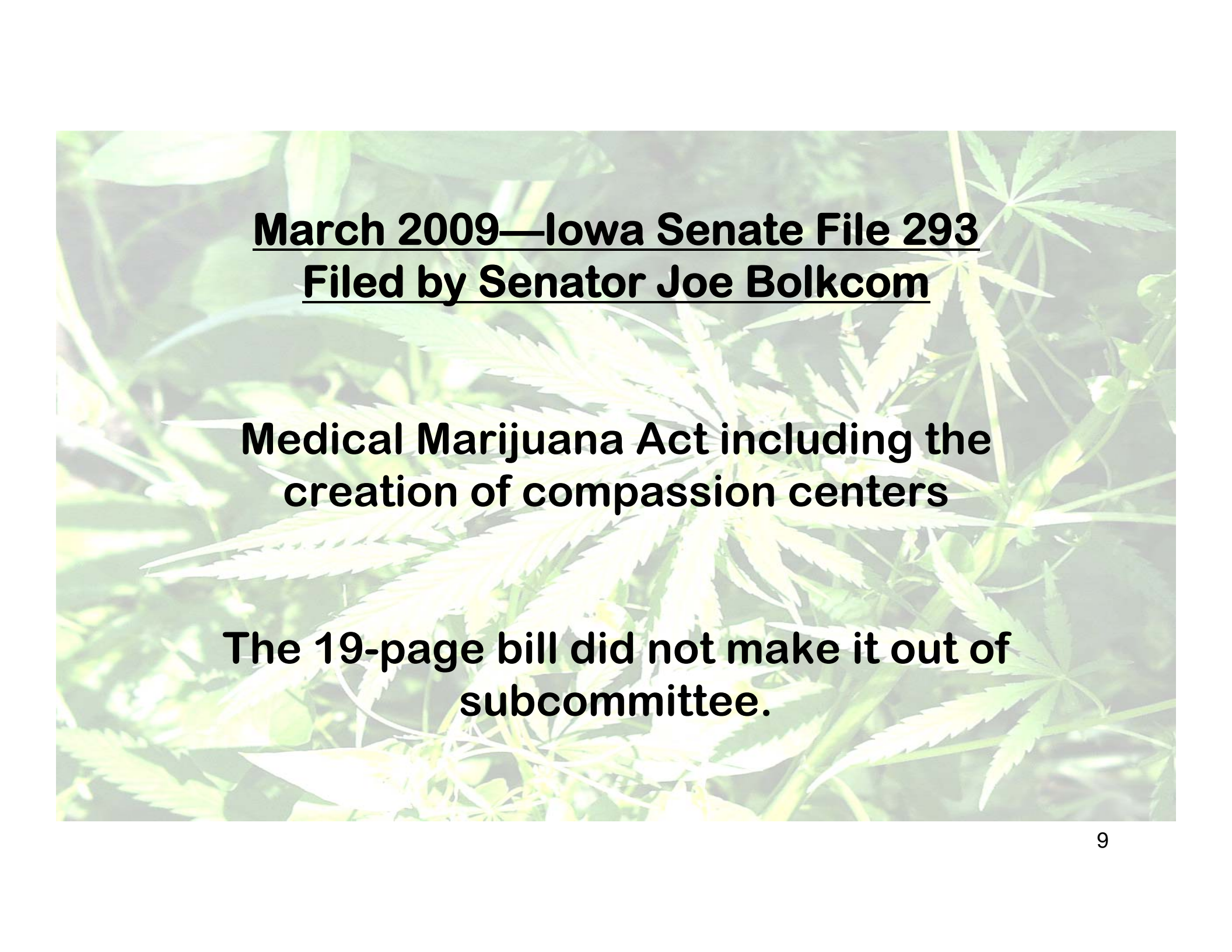
**The Iowa Board of Pharmacy denied the
Petition for lack of sufficient evidence.**

**Following appeal by the Petitioner, an Iowa
District Court judge directed the Board to
issue a more complete decision.**

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Board's Statutory Duty Regarding Controlled Substances

Under Iowa Code § 124.201(1), the Board of Pharmacy has a duty to periodically recommend to the legislature changes in controlled substance schedules.

The background of the slide is a close-up photograph of marijuana plants. The leaves are green and serrated, with some showing signs of being dried or bleached. The lighting is bright, creating a high-contrast, somewhat washed-out effect in some areas.

March 2009—Iowa Senate File 293
Filed by Senator Joe Bolckom

**Medical Marijuana Act including the
creation of compassion centers**

**The 19-page bill did not make it out of
subcommittee.**

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Board's Decision to Hold 4 Public Hearings— August to November 2009

- **Long board history with the issue**
- **Petitioner's appeal & court decision**
- **Statutory duty under IC § 124.201(1)**
- **Continuing legislative interest in the issue**
- **Compassionate use argument**


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***Des Moines Register* Editorial**
July 27, 2009

—Time for conversation about medical marijuana—

“Iowa is about to explore whether sick residents should be allowed to use marijuana to treat health problems, including pain and nausea... Iowans should pay attention and get involved... The meetings are this state’s opportunity to examine the scientific research and opinions...”

This matters because at the end of the day, the use of marijuana for medical purposes isn't about being 'soft on drugs' or catering to those who think it's their 'right' to smoke marijuana. It's a medical issue...In the end, the decision should be based on whether the medical benefit outweighs the potential problems with making marijuana available as a prescription drug...Now a broader conversation can ensue in communities around the state...A conversation focused on medical treatment and science and the societal impact of legalizing a drug that may alleviate pain and discomfort for sick Iowans. That's a conversation worth having."

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***Iowa City Press Citizen* Editorial
July 30, 2009**

—Serious talk on medical uses of marijuana—

“We hope lawmakers will be active participants—and more importantly, active listeners—in these public hearings. The Board of Pharmacy has done a service to Iowans by providing a forum in which the topic can be discussed as the serious medical issue that it is.”

***Mason City Globe Gazette* Editorial
September 6, 2009**

—Decriminalize marijuana for medical use—

“Iowa’s lawmakers must do the compassionate thing and legalize marijuana for medical use. This drug is no cure-all, but there has been enough tested research detailing its benefits to convince us that it has positive health benefits and a legitimate place in a patient’s spectrum of care. What ultimately sold us was the testimony of those who spoke Wednesday at the medical marijuana hearing sponsored by the Iowa Pharmacy Board.”

The Public Hearings: Who Talked to Us

During the first three hearings we heard from:

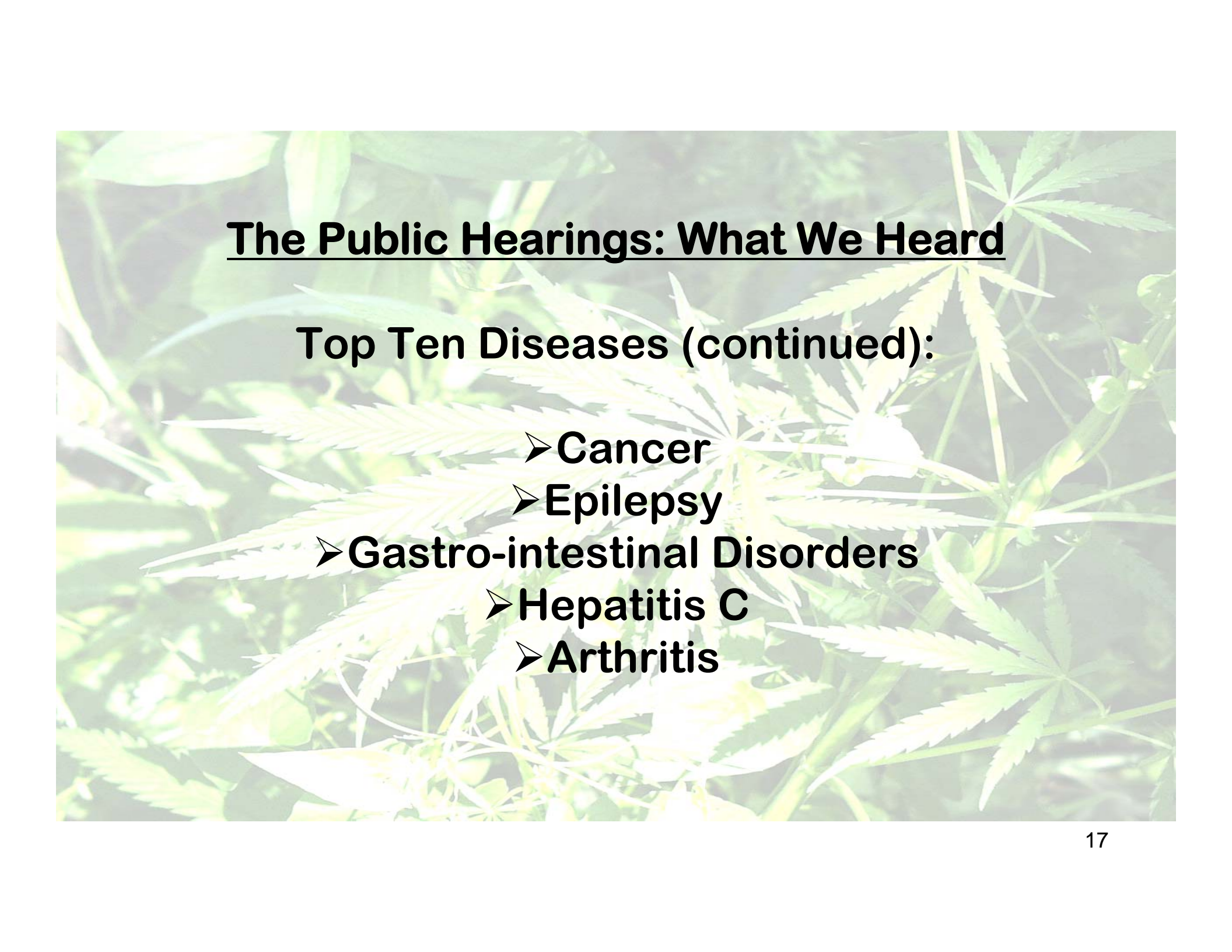
- 111 persons (68% male, 32% female), including
 - 89 Patients
 - 7 Physicians
 - 3 Ph.D.s
 - 3 Attorneys
 - 2 Pharmacists
- 1 Nurse, Dentist, Psychologist, Social Worker, Chemist, Teacher, and Legislator

The Public Hearings: What We Heard

**96% support the use of medical marijuana
(107/111)**

Top Ten Diseases (in descending order):

- **Spinal Cord Injury**
- **Chronic Pain**
- **ADHD and Bipolar Disorder**
- **Post Traumatic Stress Disorder**
- **Multiple Sclerosis**

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The Public Hearings: What We Heard

Top Ten Diseases (continued):

- **Cancer**
- **Epilepsy**
- **Gastro-intestinal Disorders**
- **Hepatitis C**
- **Arthritis**

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The Public Hearings: What We Heard

Other Diseases Mentioned:

- Diabetes
- Cerebral Palsy
- Cystic Fibrosis
- HIV/AIDS
- Fibromyalgia
- Glaucoma



The Public Hearings: **Other Information We Have Received**

- **Hundreds of e-mails & letters**
- **Hundreds of scientific & medical articles**
 - **Hundreds of news articles**
- **Laws & rules of 13 medical marijuana states**
- **Most pharmacists oppose medical marijuana**
- **The Iowa Pharmacy Association is supportive**

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The Public Hearings:
Other Information We Have Received

**“A Review of Scientific Evidence
for Medical Marijuana Use”
from the Iowa Drug Information Network
at the University of Iowa College of Pharmacy**

A 25-page summary of 91 journal articles

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Iowa Drug Information Network—Summary

Marijuana is currently being investigated as an:

- **Antiemetic in cancer chemotherapy**
- **Appetite stimulant in cancer or HIV/AIDS**
- **Analgesic**

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Iowa Drug Information Network—Summary

Past studies have looked at the use of marijuana in the following conditions:

- Multiple Sclerosis
 - Epilepsy
 - Glaucoma
- Parkinson's Disease
- Tourette's Syndrome

Iowa Drug Information Network—Summary

“Numerous case reports exist of patients testifying on the effectiveness of marijuana in their condition.

.....

The therapeutic potentials for cannabinoids include the treatment of pain, lack of appetite, nausea, glaucoma, asthma, epilepsy, spasticity, and now tremors.”

**—Ronald A. Herman, R.Ph., Ph.D., Director,
Iowa Drug Information Network**

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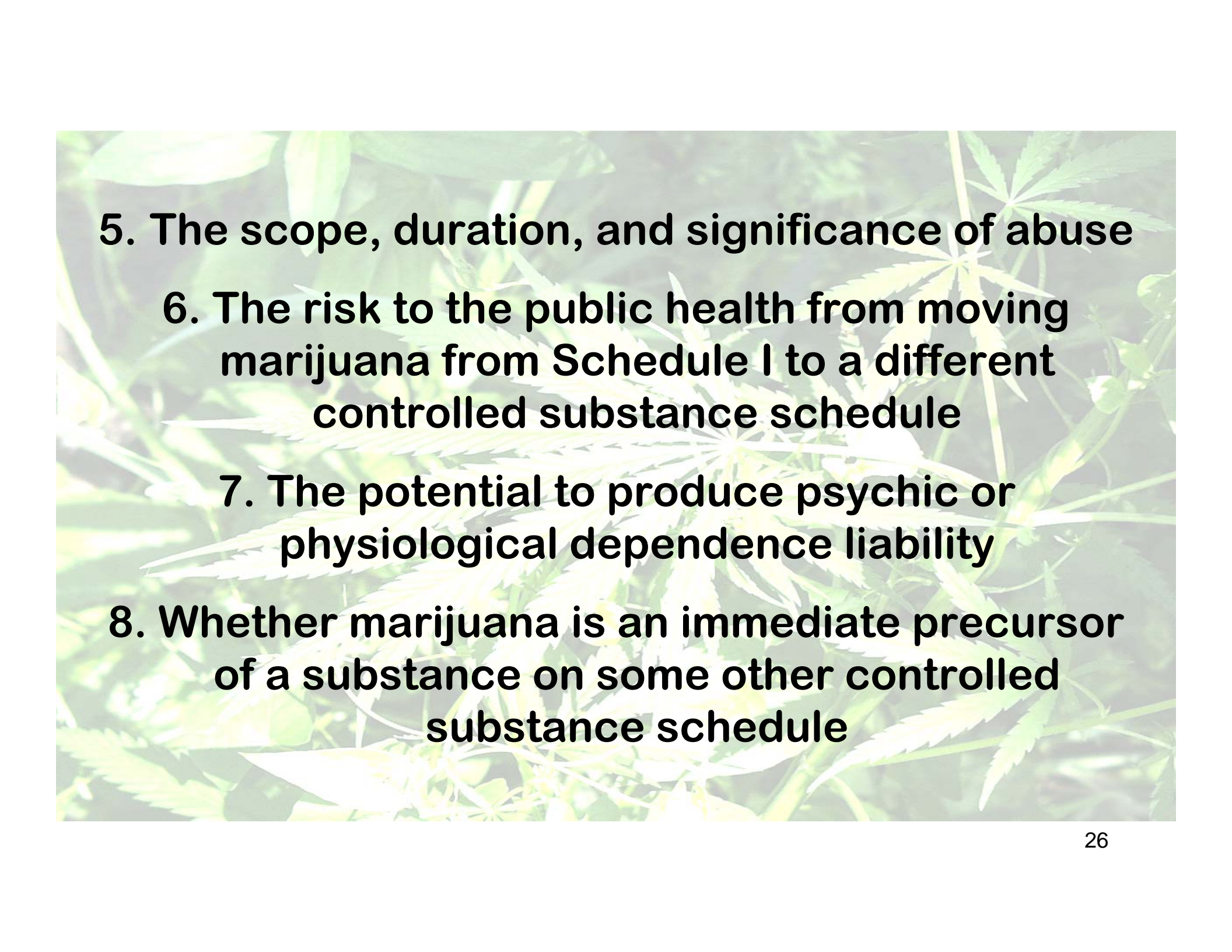
Board Analysis & Recommendation

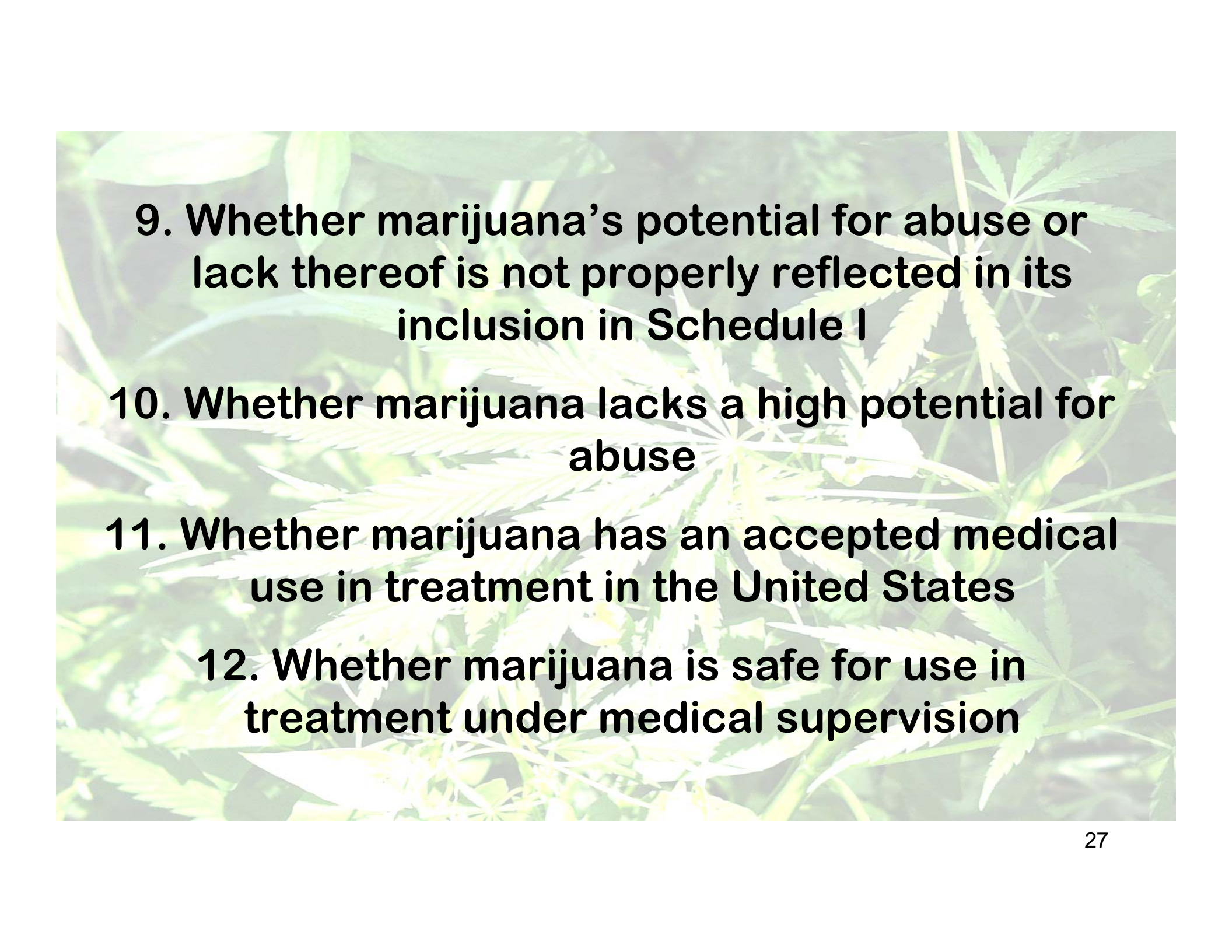
Any Board recommendation for changes to the controlled substance schedules will be preceded by a thoughtful review and analysis of the most helpful and current scientific information available to the Board.

Board Analysis & Recommendation

In making a recommendation to the Iowa legislature, the Board will consider the following 12 factors regarding marijuana:

- 1. Actual or relative potential for abuse**
- 2. Pharmacological effect**
- 3. Current scientific knowledge**
- 4. The history and current pattern of abuse**

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- 5. The scope, duration, and significance of abuse**
 - 6. The risk to the public health from moving marijuana from Schedule I to a different controlled substance schedule**
 - 7. The potential to produce psychic or physiological dependence liability**
 - 8. Whether marijuana is an immediate precursor of a substance on some other controlled substance schedule**

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- 9. Whether marijuana's potential for abuse or lack thereof is not properly reflected in its inclusion in Schedule I**
 - 10. Whether marijuana lacks a high potential for abuse**
 - 11. Whether marijuana has an accepted medical use in treatment in the United States**
 - 12. Whether marijuana is safe for use in treatment under medical supervision**

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Final Board Recommendation:

Not Yet Decided! But Stay Tuned....

**The Iowa Board of Pharmacy
will make a recommendation to the
2010 Second Session of the
83rd Iowa General Assembly
when it convenes on
January 11, 2010**

Recommendation of the Iowa Governor's Office of Drug Control Policy:



The 2010 Iowa Drug Control Strategy/Annual Report includes a recommendation to *resist* efforts to legalize the smoking of marijuana for medical or other purposes.

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Q & A



Thank you!