

Greater New Orlea

Medical marijuana in Louisiana: Who will get access?

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on June 30, 2015 at 3:13 PM, updated July 10, 2015 at 9:32 AM

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The "i" in Gov. [Bobby Jindal](#)'s signature [has been dotted](#), and Louisiana now has a law in place that allows for the legal growth, prescription and dispensing of medical marijuana.

The move makes Louisiana the first state in Deep South with legal access to medical marijuana, though it's likely to [take more than two years](#) for the product to become available to patients who qualify. The restrictive law also says it will only be available in a non-smokable form, like oils.

But when the product is grown, processed and ready for dispensing, what kind of patients can get access?

As the law is currently written, only people with one of **three disease states** qualify for a prescription:

- Those undergoing chemotherapy for treatment of cancer
- Those with glaucoma
- Those with spastic quadriplegia, a rare form of cerebral palsy that causes chronic muscle stiffness

However, the number of disease states could expand during next year's legislative session. The current law directs the Louisiana Board of Medical Examiners, the state organization that oversees doctors, to submit recommendations to the legislature for other diseases or conditions that should qualify under the law. The board's deadline for the recommendations is 60 days before the next legislative session.

What other types of conditions has medical marijuana treated?

Additional disease states that fall under other states' medical marijuana laws include epilepsy, post-traumatic stress disorder, HIV/AIDS, severe pain, severe nausea, anorexia, Crohn's disease, ALS and multiple sclerosis.

During testimony at the Louisiana State Capitol this session, Eunice resident Michele Hall testified that she feeds potentially deadly doses of numerous medications to her 4-year-old daughter to treat her epilepsy, when a single dose of medical marijuana could stop the seizures with almost no side effects. "Just give her other options than this poison that can kill her," Hall told a House health panel, holding up a large plastic bag filled with her daughter's medicine.

NBC's dateline aired a segment earlier this month called "[Growing Hope](#)," focusing on the treatment of childhood epilepsy with

cannabis oils like those proposed in Louisiana's law. For many parents featured in the episode, a form of medical marijuana called "Charlotte's Web" was the only thing that stopped their child's seizures.

Congress recently took up a proposal that would have allowed veterans to discuss using medical marijuana with physicians at Department of Veterans Affairs hospitals and medical centers for treatment of pain or PTSD, for example. The amendment, offered by Rep. Earl Blumenauer, D-Ore., failed 222-195. **No members of the Louisiana delegation supported it.**

Why is Louisiana's law restricted to three disease states?

The reason only three disease states are included in the current law has mostly to do with political rhetoric. Louisiana technically legalized medical marijuana in 1978 and again in 1991, but there was just never a system put in place -- until now -- that spelled out how patients would legally get access.

Therefore, it was easier to convince lawmakers to support the bill this year by explaining that they weren't asking for a vote to "legalize medical marijuana," but rather to close a loophole so patients can actually get it. The state already legalized marijuana for medical purposes nearly a quarter century ago, state Sen. Fred Mills, R-New Iberia, told his colleagues.

The argument helped Mills enter a compromise with the Louisiana Sheriffs' Association, which prompted the influential lobbying group to remove their opposition to his bill. The 1991 law made it legal to prescribe medical marijuana for the same three disease states: cancer patients going through chemo, glaucoma patients and spastic quadriplegia. And one of the requests made by the sheriffs' group as part of the compromise to stay neutral on the bill was to limit the legislation only to the original disease states that were legalized back in 1991.

What happens next?

Pushing the bill through the legislature in 2015 was a large enough hurdle on its own. Mills said Tuesday (June 30) he didn't want to muddle that debate by getting wrapped up in a side-debate about disease states.

He has heard from several residents concerned because the current law excludes their condition or disease.

"I'm getting a lot of parents confiding in me that they're finding marijuana -- by hook or by crook -- for their child, and they don't want to break the law," Mills said.

But he believes he helped those residents understand they have an opportunity next year revise the law before the product ever becomes available. He's advised these people to consult their physician and then contact the board of medical examiners to request their condition be added the recommended disease state list.

Dr. Celia Mouton, the executive director of the medical examiners board, said the board has not yet made any decisions regarding their role in Louisiana's new medical marijuana industry. The board meets July 20, at which time they might discuss how to go about recommending disease states or promulgating rules for their responsibilities.

It's possible the board might have to consult with a third party or conduct research on evidence-based medical uses of the drug, she said.

"We're charting new territory, but certainly we intend to abide by the wishes of the Legislature."

Meanwhile, people like Hall and her daughter will be forced to wait until next year to see if their families can benefit from Louisiana's new medical marijuana law.

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