

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Rudy Salas, Chair

AB 1002 (Cooley) – As Amended April 19, 2017

SUBJECT: Center for Cannabis Research.

SUMMARY: Renames the California Marijuana Research Program as the Center for Cannabis Research (CCR); expands the purview of the program to include the study of naturally occurring constituents of cannabis and synthetic compounds; authorizes the CCR to cultivate cannabis to be used exclusively for research purposes and to contract with a private entity to provide expertise in cultivating medical cannabis; authorizes the controlled clinical trials to focus on examining testing methods for detecting harmful contaminants in marijuana, including mold and bacteria; requires the President of the University of California, upon advice of the director of the program, to appoint a multidisciplinary Scientific Advisory Council; and, requires the Bureau of Marijuana Control to consider selecting the University of California and the Center for Cannabis Research program when selecting a public university or public universities to be funded to research and evaluate the implementation and effect of the Adult Use of Marijuana Act (AUMA).

EXISTING LAW:

- 1) Establishes the Bureau of Marijuana Control, also referred to as the Bureau of Medical Cannabis Regulation (Bureau), under the Department of Consumer Affairs (DCA), to establish a comprehensive system to control and regulate the cultivation, distribution, transport, storage, manufacturing, processing, and sale of cannabis products. (Business and Professions Code (BPC) § 26000 et seq.; BPC § 19302)
- 2) Authorizes the Medical Board of California to consult with the California Marijuana Research Program, known as the Center for Medicinal Cannabis Research, on developing and adopting medical guidelines for the appropriate administration and use of medical cannabis. (BPC § 2525.1; Health and Safety Code § 11362.9)
- 3) Directs the Bureau to contract with the California Marijuana Research Program, known as the Center for Medicinal Cannabis Research, to develop a study that identifies the impact that cannabis has on motor skills. (BPC § 19354; HSC § 11362.9)
- 4) States the intent of the Legislature that the state commission objective scientific research by the University of California, regarding the efficacy and safety of administering marijuana as part of medical treatment. (HSC § 11362.9 (a)(1))
- 5) Authorizes the Regents of the University of California, by appropriate resolution, to direct the University of California to create a program, to be known as the California Marijuana Research Program. (HSC § 11362.9 (a)(2))
- 6) Specifies that the program shall develop and conduct studies intended to ascertain the general medical safety and efficacy of marijuana and develop medical guidelines for the appropriate administration and use of marijuana including the effect of marijuana on motor skills.

THIS BILL:

- 1) Renames the California Marijuana Research Program (Program) as the Center for Cannabis Research (CCR) and would expand the purview of the CCR to include the study of naturally occurring constituents of cannabis and synthetic compounds that have effects similar to naturally occurring cannabinoids.
- 2) Permits research studies to examine the effects of marijuana on motor skills and other behavioral health outcomes.
- 3) Authorizes the CCR to cultivate cannabis to be used exclusively for research purposes and to contract with a private entity to provide expertise in cultivating medical cannabis.
- 4) Requires the campuses at which research under the auspices of the program is to take place to have laboratory facilities for detection and analysis of various naturally occurring and synthetic cannabinoids, as well as storage of specimens or synthetic compounds that simulate the effects of naturally occurring cannabinoids.
- 5) Specifies that the studies may focus on examining testing methods for detecting harmful contaminants in marijuana, including, but not limited to, mold, bacteria and mycotoxins that could cause harm to patients.
- 6) Permits the programs to cultivate cannabis to be used exclusively for research purposes and may contract with a private entity to provide expertise in cultivating medical cannabis.
- 7) Specifies that by July 1, 2018, the program shall report to the Legislature, the Governor, and the Attorney General on the progress of the marijuana studies.
- 8) States that the program shall issue a report to the Legislature every year detailing the progress of the studies.
- 9) Requires the President of the University of California, on the advice of the Director of the Program, to appoint a multidisciplinary Scientific Advisory Council, not to exceed 15 members, to provide policy guidance in the creation and implementation of the CCR.
- 10) States that it is the intent of the Legislature that the state commission objective scientific research by the University of California under the CCR program to study the implementation and effect of the Control, Regulate and Tax AUMA.
- 11) Amends the provisions of the AUMA to require the Bureau of Marijuana Control to consider selecting the University of California and the CCR program when selecting a public university or public universities to be funded to research and evaluate the implementation and effect of AUMA.
- 12) Directs the Controller to disburse the sum of two million dollars (\$2,000,000) annually to the University of California San Diego Center for Medicinal Cannabis Research to further the objectives of the center including the enhanced understanding of the efficacy and adverse effects of marijuana as a pharmacological agent.

FISCAL EFFECT: Unknown. This bill has been keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author, “Currently, the University of Mississippi is the only source in the United States for research institutions to obtain marijuana. This can create time delays and uncertainty for studies. Also, the low potency of marijuana available to researchers from the University of Mississippi prevents them from completing effective research. Patients and recreational users often consume products two to three times more potent than what is available from the University. AB 1002 allows the Center for Medical Cannabis Research to apply for a license through the DEA to cultivate marijuana for research purposes, and subject to federal approval, hire outside expertise familiar with cultivating. The bill also renames the Center for Medicinal Cannabis Research to the Center for Cannabis Research.”

Background. *Cannabis.* The cannabis plant produces a resin containing compounds called cannabinoids, which are the active ingredients that directly affect the central nervous and immune systems in the human body. Some cannabinoids are psychoactive, which act on the brain and have the potential to alter mood or consciousness. Two of the primary active cannabinoids within the cannabis plant are tetrahydrocannabinol (THC) and cannabidiol (CBD). Results from the limited research on the medicinal properties and adverse effects of cannabis suggest that cannabinoids are associated with improved symptoms of patients with a variety of clinical symptoms, though not all studies have yielded statistically significant results. For example, some studies provide limited evidence that cannabinoids may be beneficial for conditions such as spasticity resulting from multiple sclerosis, and pain due to chronic neuropathy and cancer (National Institutes of Health website: <https://nccih.nih.gov/health/marijuana>). However, clinical trials on the medical efficacy of cannabis are extremely limited because the federal government considers the cannabis plant a Schedule I drug, and therefore it is considered a dangerous controlled substance with no accepted medical benefits and a high potential for abuse.

Cannabis Regulation in California. In 1996, California voters passed Proposition 215, legalizing the use of medical cannabis in the state. In October 2015, nearly 20 years after the authorization of the use of medical cannabis, Governor Jerry Brown signed into law the MCRSA. The MCRSA provides a comprehensive regulatory system for the cultivation, manufacture, transportation, storage, distribution, and sale of medical cannabis to be administered by the DCA, CDFA, and DPH. In 2016, the voters of California passed Proposition 64, the Adult Use of Marijuana Act (AUMA), to legalize the recreational use of cannabis in the state by 2018. The AUMA passed with 57% voter approval.

Cannabis Research at the University of Mississippi. Currently, the University of Mississippi, operating under a contract with the National Institute for Drug Abuse (NIDA), is the sole entity authorized to produce cannabis to supply researchers in the United States. The quality of the cannabis that the university utilizes for research has been scrutinized in various news reports. Specifically, concerns have been shared about the condition of the samples. Additionally, questions have been raised about the ability to extrapolate the impact of cannabis when the

samples utilized in research are not potent enough to simulate the effects of higher cannabis consumption.

2016 DEA Policy on Cannabis Supplied for Research Purposes. On August 11, 2016, the DEA announced a policy change designed to foster research by expanding the number of DEA-registered cannabis manufacturers. This change is intended to provide researchers with a more varied and robust supply of cannabis. The DEA's new policy will allow additional entities to apply to become registered with the DEA so that they may grow and distribute cannabis for FDA-authorized research purposes.

Cannabis Research in California. In 1999, legislation was enacted forming the University of California Center for Medical Cannabis Research (SB 847 (Vasconcellos)). According to the Center, its purpose is to coordinate rigorous scientific studies to assess the safety and efficacy of cannabis and cannabis compounds for treating medical conditions via a three year program overseeing objective, high quality medical research that will enhance understanding of the efficacy and adverse effects of marijuana as a pharmacological agent.

The Center serves as a hub for cannabis research throughout the State of California. Research has focused on the potential medicinal benefits of cannabis for diseases and conditions identified by the National Academy of Sciences, Institute of Medicine Report (1999) and by the Workshop on the Medical Utility of Marijuana, National Institutes of Health (1997). Studies have examined the analgesic efficacy of cannabis on experimental models of neuropathic pain, neuropathic pain from HIV and diabetes, and neuropathic pain of diverse etiology. Additionally, studies have evaluated the efficacy of cannabis for the treatment of spasticity in multiple sclerosis. Current research includes a NIDA funded study comparing oral delta-9-THC (dronabinol) to vaporized cannabis for alleviation of chronic neuropathic low back pain. Additionally, the Center will be assisting the state of California in evaluating the effects of cannabis on driving pursuant to AB 266 (Bonta) of 2015 and consulting with the California Medical board on prescribing practices pursuant to SB 643 (McGuire) of 2015.

REGISTERED SUPPORT:

None on file.

REGISTERED OPPOSITION:

None on file.

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