

1 ENGROSSED HOUSE
2 BILL NO. 2154

By: Echols, Grau, Montgomery,
Casey, Jordan and Cannaday
of the House

3
4 and

Crain of the Senate

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6
7
8 An Act relating to public health and safety; creating
9 Katie's Law; amending 63 O.S. 2011, Section 2-101, as
10 last amended by Section 1, Chapter 154, O.S.L. 2014
11 (63 O.S. Supp. 2014, Section 2-101), which relates to
12 definitions of the Uniform Controlled Dangerous
13 Substances Act; modifying exception to certain
14 definition; defining terms; providing for the
15 establishment of statewide investigational new drug
16 applications for certain clinical trials; authorizing
17 physicians to serve as principal investigators for
18 clinical trials under certain circumstances;
19 providing for subinvestigators; directing
20 investigators and subinvestigators to adhere to
21 certain rules and regulations; providing guidelines
22 for establishing statewide investigational new drug
23 applications; providing exemptions from criminal or
24 civil penalties; providing for codification;
providing for noncodification; and declaring an
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as "Katie's Law".

1 SECTION 2. AMENDATORY 63 O.S. 2011, Section 2-101, as
2 last amended by Section 1, Chapter 154, O.S.L. 2014 (63 O.S. Supp.
3 2014, Section 2-101), is amended to read as follows:

4 Section 2-101. As used in the Uniform Controlled Dangerous
5 Substances Act:

6 1. "Administer" means the direct application of a controlled
7 dangerous substance, whether by injection, inhalation, ingestion or
8 any other means, to the body of a patient, animal or research
9 subject by:

10 a. a practitioner (or, in the presence of the
11 practitioner, by the authorized agent of the
12 practitioner), or

13 b. the patient or research subject at the direction and
14 in the presence of the practitioner;

15 2. "Agent" means a peace officer appointed by and who acts in
16 behalf of the Director of the Oklahoma State Bureau of Narcotics and
17 Dangerous Drugs Control or an authorized person who acts on behalf
18 of or at the direction of a person who manufactures, distributes,
19 dispenses, prescribes, administers or uses for scientific purposes
20 controlled dangerous substances but does not include a common or
21 contract carrier, public warehouser or employee thereof, or a person
22 required to register under the Uniform Controlled Dangerous
23 Substances Act;

1 3. "Board" means the Advisory Board to the Director of the
2 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

3 4. "Bureau" means the Oklahoma State Bureau of Narcotics and
4 Dangerous Drugs Control;

5 5. "Coca leaves" includes cocaine and any compound,
6 manufacture, salt, derivative, mixture or preparation of coca
7 leaves, except derivatives of coca leaves which do not contain
8 cocaine or ecgonine;

9 6. "Commissioner" or "Director" means the Director of the
10 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

11 7. "Control" means to add, remove or change the placement of a
12 drug, substance or immediate precursor under the Uniform Controlled
13 Dangerous Substances Act;

14 8. "Controlled dangerous substance" means a drug, substance or
15 immediate precursor in Schedules I through V of the Uniform
16 Controlled Dangerous Substances Act or any drug, substance or
17 immediate precursor listed either temporarily or permanently as a
18 federally controlled substance. Any conflict between state and
19 federal law with regard to the particular schedule in which a
20 substance is listed shall be resolved in favor of state law;

21 9. "Counterfeit substance" means a controlled substance which,
22 or the container or labeling of which without authorization, bears
23 the trademark, trade name or other identifying marks, imprint,
24 number or device or any likeness thereof of a manufacturer,

1 distributor or dispenser other than the person who in fact
2 manufactured, distributed or dispensed the substance;

3 10. "Deliver" or "delivery" means the actual, constructive or
4 attempted transfer from one person to another of a controlled
5 dangerous substance or drug paraphernalia, whether or not there is
6 an agency relationship;

7 11. "Dispense" means to deliver a controlled dangerous
8 substance to an ultimate user or human research subject by or
9 pursuant to the lawful order of a practitioner, including the
10 prescribing, administering, packaging, labeling or compounding
11 necessary to prepare the substance for such distribution.

12 "Dispenser" is a practitioner who delivers a controlled dangerous
13 substance to an ultimate user or human research subject;

14 12. "Distribute" means to deliver other than by administering
15 or dispensing a controlled dangerous substance;

16 13. "Distributor" means a commercial entity engaged in the
17 distribution or reverse distribution of narcotics and dangerous
18 drugs and who complies with all regulations promulgated by the
19 federal Drug Enforcement Administration and the Oklahoma State
20 Bureau of Narcotics and Dangerous Drugs Control;

21 14. "Drug" means articles:

22 a. recognized in the official United States

23 Pharmacopoeia, official Homeopathic Pharmacopoeia of
24

1 the United States, or official National Formulary, or
2 any supplement to any of them,

3 b. intended for use in the diagnosis, cure, mitigation,
4 treatment or prevention of disease in man or other
5 animals,

6 c. other than food, intended to affect the structure or
7 any function of the body of man or other animals, and

8 d. intended for use as a component of any article
9 specified in this paragraph;

10 provided, however, the term "drug" does not include devices or their
11 components, parts or accessories;

12 15. "Drug-dependent person" means a person who is using a
13 controlled dangerous substance and who is in a state of psychic or
14 physical dependence, or both, arising from administration of that
15 controlled dangerous substance on a continuous basis. Drug
16 dependence is characterized by behavioral and other responses which
17 include a strong compulsion to take the substance on a continuous
18 basis in order to experience its psychic effects, or to avoid the
19 discomfort of its absence;

20 16. "Home care agency" means any sole proprietorship,
21 partnership, association, corporation, or other organization which
22 administers, offers, or provides home care services, for a fee or
23 pursuant to a contract for such services, to clients in their place
24 of residence;

1 17. "Home care services" means skilled or personal care
2 services provided to clients in their place of residence for a fee;

3 18. "Hospice" means a centrally administered, nonprofit or
4 profit, medically directed, nurse-coordinated program which provides
5 a continuum of home and inpatient care for the terminally ill
6 patient and the patient's family. Such term shall also include a
7 centrally administered, nonprofit or profit, medically directed,
8 nurse-coordinated program if such program is licensed pursuant to
9 the provisions of this act. A hospice program offers palliative and
10 supportive care to meet the special needs arising out of the
11 physical, emotional and spiritual stresses which are experienced
12 during the final stages of illness and during dying and bereavement.
13 This care is available twenty-four (24) hours a day, seven (7) days
14 a week, and is provided on the basis of need, regardless of ability
15 to pay. "Class A" Hospice refers to Medicare certified hospices.
16 "Class B" refers to all other providers of hospice services;

17 19. "Imitation controlled substance" means a substance that is
18 not a controlled dangerous substance, which by dosage unit
19 appearance, color, shape, size, markings or by representations made,
20 would lead a reasonable person to believe that the substance is a
21 controlled dangerous substance. In the event the appearance of the
22 dosage unit is not reasonably sufficient to establish that the
23 substance is an "imitation controlled substance", the court or
24 authority concerned should consider, in addition to all other

1 factors, the following factors as related to "representations made"
2 in determining whether the substance is an "imitation controlled
3 substance":

- 4 a. statements made by an owner or by any other person in
5 control of the substance concerning the nature of the
6 substance, or its use or effect,
- 7 b. statements made to the recipient that the substance
8 may be resold for inordinate profit,
- 9 c. whether the substance is packaged in a manner normally
10 used for illicit controlled substances,
- 11 d. evasive tactics or actions utilized by the owner or
12 person in control of the substance to avoid detection
13 by law enforcement authorities,
- 14 e. prior convictions, if any, of an owner, or any other
15 person in control of the object, under state or
16 federal law related to controlled substances or fraud,
17 and
- 18 f. the proximity of the substances to controlled
19 dangerous substances;

20 20. "Immediate precursor" means a substance which the Director
21 has found to be and by regulation designates as being the principal
22 compound commonly used or produced primarily for use, and which is
23 an immediate chemical intermediary used, or likely to be used, in
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1 the manufacture of a controlled dangerous substance, the control of
2 which is necessary to prevent, curtail or limit such manufacture;

3 21. "Laboratory" means a laboratory approved by the Director as
4 proper to be entrusted with the custody of controlled dangerous
5 substances and the use of controlled dangerous substances for
6 scientific and medical purposes and for purposes of instruction;

7 22. "Manufacture" means the production, preparation,
8 propagation, compounding or processing of a controlled dangerous
9 substance, either directly or indirectly by extraction from
10 substances of natural or synthetic origin, or independently by means
11 of chemical synthesis or by a combination of extraction and chemical
12 synthesis. "Manufacturer" includes any person who packages,
13 repackages or labels any container of any controlled dangerous
14 substance, except practitioners who dispense or compound
15 prescription orders for delivery to the ultimate consumer;

16 23. "Marihuana" means all parts of the plant Cannabis sativa
17 L., whether growing or not; the seeds thereof; the resin extracted
18 from any part of such plant; and every compound, manufacture, salt,
19 derivative, mixture or preparation of such plant, its seeds or
20 resin, but shall not include:

21 a. the mature stalks of such plant, or fiber produced
22 from such stalks,
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- 1 b. oil or cake made from the seeds of such plant,
2 including cannabidiol derived from the seeds of the
3 marihuana plant,
- 4 c. any other compound, manufacture, salt, derivative,
5 mixture or preparation of such mature stalks (except
6 the resin extracted therefrom), including cannabidiol
7 derived from mature stalks, fiber, oil or cake, ~~or~~
- 8 d. the sterilized seed of such plant which is incapable
9 of germination,
- 10 e. for persons eighteen (18) years of age or younger
11 participating in a clinical trial or in an expanded-
12 access program related to administering cannabidiol
13 for the treatment of severe forms of epilepsy pursuant
14 to Section 4 of this act, a drug or substance approved
15 by the federal Food and Drug Administration for use by
16 those participants, or
- 17 f. for persons eighteen (18) years of age or younger, or
18 the parents, legal guardians, or caretakers of the
19 person, who have received a written certification from
20 a physician licensed in this state that the person has
21 been diagnosed by a physician as having Lennox-Gastaut
22 Syndrome, Dravet Syndrome, also known as Severe
23 Myoclonic Epilepsy of Infancy, or any other severe
24 form of epilepsy that is not adequately treated by

1 traditional medical therapies, the substance
2 cannabidiol, a nonpsychoactive cannabinoid, found in
3 the plant Cannabis sativa L. or any other preparation
4 thereof, that has a tetrahydrocannabinol concentration
5 of not more than three-tenths of one percent (0.3%)
6 and that is delivered to the patient in the form of a
7 liquid, or

8 g. industrial hemp, from the plant Cannabis sativa L. and
9 any part of such plant, whether growing or not, with a
10 delta-9 tetrahydrocannabinol concentration of not more
11 than three-tenths of one percent (0.3%) on a dry
12 weight basis which shall not be grown anywhere in the
13 State of Oklahoma but may be shipped to Oklahoma
14 pursuant to the provisions of subparagraph e or f of
15 this paragraph;

16 24. "Medical purpose" means an intention to utilize a
17 controlled dangerous substance for physical or mental treatment, for
18 diagnosis, or for the prevention of a disease condition not in
19 violation of any state or federal law and not for the purpose of
20 satisfying physiological or psychological dependence or other abuse;

21 25. "Mid-level practitioner" means an advanced practice nurse
22 as defined and within parameters specified in Section 567.3a of
23 Title 59 of the Oklahoma Statutes, or a certified animal euthanasia
24 technician as defined in Section 698.2 of Title 59 of the Oklahoma

1 Statutes, or an animal control officer registered by the Oklahoma
2 State Bureau of Narcotics and Dangerous Drugs Control under
3 subsection B of Section 2-301 of this title within the parameters of
4 such officer's duty under Sections 501 through 508 of Title 4 of the
5 Oklahoma Statutes;

6 26. "Narcotic drug" means any of the following, whether
7 produced directly or indirectly by extraction from substances of
8 vegetable origin, or independently by means of chemical synthesis,
9 or by a combination of extraction and chemical synthesis:

- 10 a. opium, coca leaves and opiates,
- 11 b. a compound, manufacture, salt, derivative or
12 preparation of opium, coca leaves or opiates,
- 13 c. cocaine, its salts, optical and geometric isomers, and
14 salts of isomers,
- 15 d. ecgonine, its derivatives, their salts, isomers and
16 salts of isomers, and
- 17 e. a substance, and any compound, manufacture, salt,
18 derivative or preparation thereof, which is chemically
19 identical with any of the substances referred to in
20 subparagraphs a through d of this paragraph, except
21 that the words "narcotic drug" as used in Section 2-
22 101 et seq. of this title shall not include
23 decocainized coca leaves or extracts of coca leaves,
24 which extracts do not contain cocaine or ecgonine;

1 27. "Opiate" means any substance having an addiction-forming or
2 addiction-sustaining liability similar to morphine or being capable
3 of conversion into a drug having such addiction-forming or
4 addiction-sustaining liability. It does not include, unless
5 specifically designated as controlled under the Uniform Controlled
6 Dangerous Substances Act, the dextrorotatory isomer of 3-methoxy-n-
7 methyl-morphinan and its salts (dextromethorphan). It does include
8 its racemic and levorotatory forms;

9 28. "Opium poppy" means the plant of the species *Papaver*
10 *somniferum* L., except the seeds thereof;

11 29. "Peace officer" means a police officer, sheriff, deputy
12 sheriff, district attorney's investigator, investigator from the
13 Office of the Attorney General, or any other person elected or
14 appointed by law to enforce any of the criminal laws of this state
15 or of the United States;

16 30. "Person" means an individual, corporation, government or
17 governmental subdivision or agency, business trust, estate, trust,
18 partnership or association, or any other legal entity;

19 31. "Poppy straw" means all parts, except the seeds, of the
20 opium poppy, after mowing;

21 32. "Practitioner" means:

- 22 a. (1) a medical doctor or osteopathic physician,
23 (2) a dentist,
24 (3) a podiatrist,

- 1 (4) an optometrist,
2 (5) a veterinarian,
3 (6) a physician assistant under the supervision of a
4 licensed medical doctor or osteopathic physician,
5 (7) a scientific investigator, or
6 (8) any other person,

7 licensed, registered or otherwise permitted to
8 prescribe, distribute, dispense, conduct research with
9 respect to, use for scientific purposes or administer
10 a controlled dangerous substance in the course of
11 professional practice or research in this state, or

- 12 b. a pharmacy, hospital, laboratory or other institution
13 licensed, registered or otherwise permitted to
14 distribute, dispense, conduct research with respect
15 to, use for scientific purposes or administer a
16 controlled dangerous substance in the course of
17 professional practice or research in this state;

18 33. "Production" includes the manufacture, planting,
19 cultivation, growing or harvesting of a controlled dangerous
20 substance;

21 34. "State" means the State of Oklahoma or any other state of
22 the United States;

23 35. "Ultimate user" means a person who lawfully possesses a
24 controlled dangerous substance for the person's own use or for the

1 use of a member of the person's household or for administration to
2 an animal owned by the person or by a member of the person's
3 household;

4 36. "Drug paraphernalia" means all equipment, products and
5 materials of any kind which are used, intended for use, or fashioned
6 specifically for use in planting, propagating, cultivating, growing,
7 harvesting, manufacturing, compounding, converting, producing,
8 processing, preparing, testing, analyzing, packaging, repackaging,
9 storing, containing, concealing, injecting, ingesting, inhaling or
10 otherwise introducing into the human body, a controlled dangerous
11 substance in violation of the Uniform Controlled Dangerous
12 Substances Act including, but not limited to:

- 13 a. kits used, intended for use, or fashioned specifically
14 for use in planting, propagating, cultivating, growing
15 or harvesting of any species of plant which is a
16 controlled dangerous substance or from which a
17 controlled dangerous substance can be derived,
- 18 b. kits used, intended for use, or fashioned specifically
19 for use in manufacturing, compounding, converting,
20 producing, processing or preparing controlled
21 dangerous substances,
- 22 c. isomerization devices used, intended for use, or
23 fashioned specifically for use in increasing the
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1 potency of any species of plant which is a controlled
2 dangerous substance,

3 d. testing equipment used, intended for use, or fashioned
4 specifically for use in identifying, or in analyzing
5 the strength, effectiveness or purity of controlled
6 dangerous substances,

7 e. scales and balances used, intended for use, or
8 fashioned specifically for use in weighing or
9 measuring controlled dangerous substances,

10 f. diluents and adulterants, such as quinine
11 hydrochloride, mannitol, mannite, dextrose and
12 lactose, used, intended for use, or fashioned
13 specifically for use in cutting controlled dangerous
14 substances,

15 g. separation gins and sifters used, intended for use, or
16 fashioned specifically for use in removing twigs and
17 seeds from, or in otherwise cleaning or refining,
18 marihuana,

19 h. blenders, bowls, containers, spoons and mixing devices
20 used, intended for use, or fashioned specifically for
21 use in compounding controlled dangerous substances,

22 i. capsules, balloons, envelopes and other containers
23 used, intended for use, or fashioned specifically for
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1 use in packaging small quantities of controlled
2 dangerous substances,

3 j. containers and other objects used, intended for use,
4 or fashioned specifically for use in parenterally
5 injecting controlled dangerous substances into the
6 human body,

7 k. hypodermic syringes, needles and other objects used,
8 intended for use, or fashioned specifically for use in
9 parenterally injecting controlled dangerous substances
10 into the human body,

11 l. objects used, intended for use, or fashioned
12 specifically for use in ingesting, inhaling or
13 otherwise introducing marihuana, cocaine, hashish or
14 hashish oil into the human body, such as:

15 (1) metal, wooden, acrylic, glass, stone, plastic or
16 ceramic pipes with or without screens, permanent
17 screens, hashish heads or punctured metal bowls,

18 (2) water pipes,

19 (3) carburetion tubes and devices,

20 (4) smoking and carburetion masks,

21 (5) roach clips, meaning objects used to hold burning
22 material, such as a marihuana cigarette, that has
23 become too small or too short to be held in the
24 hand,

- (6) miniature cocaine spoons and cocaine vials,
- (7) chamber pipes,
- (8) carburetor pipes,
- (9) electric pipes,
- (10) air-driven pipes,
- (11) chillums,
- (12) bongs, or
- (13) ice pipes or chillers,

m. all hidden or novelty pipes, and

n. any pipe that has a tobacco bowl or chamber of less than one-half (1/2) inch in diameter in which there is any detectable residue of any controlled dangerous substance as defined in this section or any other substances not legal for possession or use;

provided, however, the term "drug paraphernalia" shall not include separation gins intended for use in preparing tea or spice, clamps used for constructing electrical equipment, water pipes designed for ornamentation in which no detectable amount of an illegal substance is found or pipes designed and used solely for smoking tobacco, traditional pipes of an American Indian tribal religious ceremony, or antique pipes that are thirty (30) years of age or older;

37. a. "Synthetic controlled substance" means a substance:

- 1 (1) the chemical structure of which is substantially
2 similar to the chemical structure of a controlled
3 dangerous substance in Schedule I or II,
4 (2) which has a stimulant, depressant, or
5 hallucinogenic effect on the central nervous
6 system that is substantially similar to or
7 greater than the stimulant, depressant or
8 hallucinogenic effect on the central nervous
9 system of a controlled dangerous substance in
10 Schedule I or II, or
11 (3) with respect to a particular person, which such
12 person represents or intends to have a stimulant,
13 depressant, or hallucinogenic effect on the
14 central nervous system that is substantially
15 similar to or greater than the stimulant,
16 depressant, or hallucinogenic effect on the
17 central nervous system of a controlled dangerous
18 substance in Schedule I or II.

19 b. The designation of gamma butyrolactone or any other
20 chemical as a precursor, pursuant to Section 2-322 of
21 this title, does not preclude a finding pursuant to
22 subparagraph a of this paragraph that the chemical is
23 a synthetic controlled substance.

24 c. "Synthetic controlled substance" does not include:

- 1 (1) a controlled dangerous substance,
- 2 (2) any substance for which there is an approved new
- 3 drug application,
- 4 (3) with respect to a particular person any
- 5 substance, if an exemption is in effect for
- 6 investigational use, for that person under the
- 7 provisions of Section 505 of the Federal Food,
- 8 Drug and Cosmetic Act, Title 21 of the United
- 9 States Code, Section 355, to the extent conduct
- 10 with respect to such substance is pursuant to
- 11 such exemption, or
- 12 (4) any substance to the extent not intended for
- 13 human consumption before such an exemption takes
- 14 effect with respect to that substance.

15 d. Prima facie evidence that a substance containing

16 salvia divinorum has been enhanced, concentrated or

17 chemically or physically altered shall give rise to a

18 rebuttable presumption that the substance is a

19 synthetic controlled substance;

20 38. "Tetrahydrocannabinols" means all substances that have been

21 chemically synthesized to emulate the tetrahydrocannabinols of

22 marihuana;

23 39. "Isomer" means the optical isomer, except as used in

24 subsections C and F of Section 2-204 of this title and paragraph 4

1 of subsection A of Section 2-206 of this title. As used in
2 subsections C and F of Section 2-204 of this title, "isomer" means
3 the optical, positional or geometric isomer. As used in paragraph 4
4 of subsection A of Section 2-206 of this title, the term "isomer"
5 means the optical or geometric isomer;

6 40. "Hazardous materials" means materials, whether solid,
7 liquid or gas, which are toxic to human, animal, aquatic or plant
8 life, and the disposal of which materials is controlled by state or
9 federal guidelines; and

10 41. "Anhydrous ammonia" means any substance that exhibits
11 cryogenic evaporative behavior and tests positive for ammonia.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 2-801 of Title 63, unless there
14 is created a duplication in numbering, reads as follows:

15 As used in this act:

16 1. "Academic medical center" means a medical school and its
17 affiliated teaching hospitals and clinics that:

- 18 a. operate a medical residency program for physicians,
19 and
- 20 b. conduct research that is overseen by the federal
21 Department of Health and Human Services and involves
22 human subjects;

23 2. "Approved source" means a provider approved by the United
24 States Food and Drug Administration which produces cannabidiol that:

1 a. has been manufactured and tested in a facility
2 approved or certified by the United States Food and
3 Drug Administration or similar national regulatory
4 agency in another country which has been approved by
5 the United States Food and Drug Administration, and

6 b. has been tested on animals to demonstrate preliminary
7 effectiveness and to ensure that it is safe to
8 administer to humans;

9 3. "Cannabidiol" means a nonpsychoactive cannabinoid found in
10 the plant Cannabis sativa L. or any other preparation thereof, that
11 has a tetrahydrocannabinol concentration of not more than three-
12 tenths of one percent (0.3%) and that is delivered to the patient in
13 the form of a liquid;

14 4. "Physician" means a doctor of medicine or doctor of
15 osteopathic medicine licensed by the Oklahoma Board of Medical
16 Examiners; and

17 5. "Qualifying patient" means any person eighteen (18) years of
18 age or younger who suffers from Lennox-Gastaut Syndrome, Dravet
19 Syndrome, also known as Severe Myoclonic Epilepsy of Infancy, or any
20 other form of refractory epilepsy that is not adequately treated by
21 traditional medical therapies.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2-802 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

1 A. A statewide investigational new drug application may be
2 established in this state, if approved by the United States Food and
3 Drug Administration, to conduct expanded-access clinical trials
4 using cannabidiol on qualifying patients with severe forms of
5 epilepsy.

6 B. Any physician who is board certified, practicing in an
7 academic medical center in this state, and treating patients with
8 severe forms of epilepsy may serve as the principal investigator for
9 such clinical trials if such physician:

10 1. Applies to and is approved by the United States Food and
11 Drug Administration as the principal investigator in a statewide
12 investigational new drug application; and

13 2. Receives a license from the United States Drug Enforcement
14 Administration.

15 C. Such physician, acting as principal investigator, may
16 include subinvestigators who are also board certified, practice in
17 an academic medical center in this state, and treat patients with
18 severe forms of epilepsy. Such subinvestigators shall be required
19 to comply with the licensing requirement provided in paragraph 2 of
20 subsection B of this section.

21 D. The principal investigator and all subinvestigators shall
22 adhere to the rules and regulations established by the relevant
23 institutional review board for each participating academic medical
24 center and by the United States Food and Drug Administration, the

1 United States Drug Enforcement Administration and the National
2 Institute on Drug Abuse.

3 E. Nothing in this section shall be construed to prohibit a
4 physician licensed in Oklahoma from applying for Investigational New
5 Drug authorization from the United States Food and Drug
6 Administration.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 2-803 of Title 63, unless there
9 is created a duplication in numbering, reads as follows:

10 A. Expanded-access clinical trials conducted pursuant to a
11 statewide investigational new drug application established pursuant
12 to the provisions of this act shall only utilize cannabidiol which
13 is:

- 14 1. From an approved source; and
- 15 2. Approved by the United States Food and Drug Administration
16 to be used for treatment of a condition specified in an
17 investigational new drug application.

18 B. The principal investigator and any subinvestigator may
19 receive cannabidiol directly from an approved source or authorized
20 distributor for an approved source for use in the expanded-access
21 clinical trials.

22 SECTION 6. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2-804 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

1 A person acting in compliance with the provisions of this act
2 shall not be subject to arrest, prosecution, or any civil or
3 administrative penalty, including a civil penalty or disciplinary
4 action by a professional licensing board, or be denied any right or
5 privilege, for the use, prescription, administration, possession,
6 manufacture, or distribution of medical cannabidiol.

7 SECTION 7. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11 Passed the House of Representatives the 11th day of February,
12 2015.

13
14 _____
15 Presiding Officer of the House
of Representatives

16 Passed the Senate the ____ day of _____, 2015.

17
18 _____
19 Presiding Officer of the Senate
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