

Texas Compassionate Use Program

In 2015, the Texas Compassionate Use Program (TCUP) was authored by Republicans in both the state House and Senate. It passed out of the Senate 30-1 and out of the House with more than a super majority.¹ Governor Abbott held a signing ceremony to bring this important program into effect.

TCUP will provide low-THC cannabis oil² to registered patients who have a prescription from their physician (plus a secondary physician's support). This program serves one condition - those with intractable epilepsy, defined as a patient who has tried two FDA approved treatments that have failed to control their seizures. TCUP is designed to only serve Texas residents.³ Low-THC cannabis oil is a non-psychoactive neuroprotectant that is especially helpful for treating epilepsy.^{4 5 6}



The Department of Public Safety (DPS) has overseen the regulatory and licensure process,⁷ awarding the first state-sanctioned license on September 1st, 2017. DPS will continue to manage the security, production, processing and distribution of the medicine. This includes ensuring security measures are in place, records and operational standards are maintained, and facilities are periodically inspected by the department. DPS will also regulate inventory tracking, product testing and packaging standards.

Why Texans Are Concerned

Patients, physicians, businesses, and the legislature in Texas are invested in the program and its success. Since the Department of Justice has threatened states with medical cannabis programs⁸, many Texans are concerned with the potential for federal overreach. We believe that it is our state's right to offer this important medical freedom to our citizens.

¹ Texas Legislature Online - <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=84R&Bill=SB339>

² Definition of Low-THC Cannabis Oil (>10% CBD / <0.5% THC), Texas Occupations Code Sec. 169.001 - <http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.169.htm>

³ DPS Administrative Rules - <https://www.dps.texas.gov/RSD/CUP/Laws/adminRules.pdf>

⁴ New England Journal of Medicine, May 25, 2017 - <http://www.nejm.org/doi/full/10.1056/NEJMoa1611618>

⁵ National Center for Biotechnology Information, June 2012 - <https://www.ncbi.nlm.nih.gov/pubmed/22520455>

⁶ Epilepsy Foundation - <http://www.epilepsy.com/learn/treating-seizures-and-epilepsy/other-treatment-approaches/medical-marijuana-and-epilepsy>

⁷ Texas DPS - <https://www.dps.texas.gov/rsd/CUP/>

⁸ Office of the Attorney General Memo, May 1, 2017 - <https://www.scribd.com/document/351079834/Sessions-Asks-Congress-To-Undo-Medical-Marijuana-Protections>

How You Can Help Texan Patients

The following bills are currently before the US House or the Senate. If any of these bills come before you, we encourage your support of our state's right to implement TCUP for our citizens.

Respect State's Marijuana Laws Act - HR 975 - This bipartisan legislation, with a dozen Republicans signed onto it, would prevent federal officials from infringing upon Texas' rights by preventing them from prosecuting patients, physicians, or businesses who are lawfully practicing under state law.⁹

SMART Enforcement Act - HR 3534 - This legislation would prevent federal officials from infringing upon Texas' rights by preventing them from prosecuting patients, physicians, or businesses who are lawfully practicing under state law.¹⁰

Compassionate Access Act - HR 715 - This act would allow for the rescheduling of CBD (cannabidiol) oil which would aid in Texas based research.¹¹

Rohrabacher-Blumenauer CJS Appropriations Amendment - This provision would protect those who engage in state-sanctioned use and dispensing of medical cannabis from prosecution by the DOJ and would therefore protect Texas' Compassionate Use Program. This amendment was first passed with bipartisan support in 2014, has been renewed each year since, and will be in effect until December 8th, 2017, at which point it will expire.

Thank you for the meeting and continued service. Texans are counting on you!

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⁹ For full text of HR 975 - <https://www.congress.gov/bill/115th-congress/house-bill/975/text>

¹⁰ For full text of HR3534 - <https://www.congress.gov/bill/115th-congress/house-bill/3534/text>

¹¹ For full text of HR 715 - <https://www.congress.gov/bill/115th-congress/house-bill/715/text>