



## Overview of the Louisiana Therapeutic Marijuana Act

While Louisiana first enacted therapeutic marijuana legislation in 1978, multiple legislative sessions have seen changes to the program. While the state has finally gotten to the point that MPP classifies the program as effective, the program remains one of the most restrictive in the country in some important areas.

Here are key features of Louisiana's Therapeutic Marijuana Act:

**Qualifying for the program:** Patients must have a doctor's recommendation and a qualifying medical condition to qualify. Qualifying conditions have been expanded repeatedly, and patients now qualify if they have any condition their doctor "considers debilitating to an individual patient" and that the doctor "is qualified through [their] medical education and training to treat."

The law also covers cancer, HIV/AIDS, cachexia or wasting disorder, seizure disorders (including but not limited to epilepsy), spasticity, Crohn's disease, muscular dystrophy, severe muscle spasms, glaucoma, Parkinson's disease, post-traumatic stress disorder, multiple sclerosis, intractable pain (which is narrowly defined), Alzheimer's, ALS, traumatic brain injury, concussion, chronic pain associated with either fibromyalgia or sickle cell disease, conditions resulting in the patient receiving hospice care or palliative care, and — in some cases — autism.

Autism qualifies if it involves risks to the person's physical health (through self-injury, severe repetitive or self-stimulatory behavior, or severe avoidance of others or inability to communicate) or physically aggressive or destructive behavior. Minors with autism only qualify if the recommending physician consults with a pediatric subspecialist.

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**Physicians' role:** Any physicians licensed in good standing with the [Louisiana State Board of Medical Examiners](#) may issue recommendations within the context of a bona fide doctor-patient relationship if "in the sincere judgment of the physician, therapeutic cannabis may be helpful to the patient's condition or symptoms." The recommendation may be "communicated by any means allowed by the Louisiana Board of Pharmacy."

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**Forms of marijuana:** Physicians may recommend any form of marijuana other than smoked or "raw or crude" cannabis. In 2019, the legislature approved allowing the vaporization of marijuana via a "metered-dose inhaler."

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**Dispensaries:** One medical marijuana pharmacy — regulated by the [Louisiana Board of](#)

**Pharmacy** — is authorized to operate in each of the nine regions of the state established by the Louisiana Department of Health. A 17-member board is mandated by state law to oversee the marijuana dispensaries and will award a 10th permit as needed.



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**Production:** The law states that either or both of Louisiana State University and Southern University, jointly or separately, have the right of first refusal to be licensed as production facilities. Both universities opted in and have contractors handling cultivation. However, Southern did not deliver its first shipment until summer of 2020. Medical cannabis production is regulated by the **[Department of Agriculture and Forestry](#)**.

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**Sunset:** Unless it is re-enacted by the legislature, the act will expire on January 1, 2025. Initially, the law was scheduled to expire on January 1, 2020, but it was extended.

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