

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, February 23, 2018

**TIME:** 8:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Wood** called the meeting to order at 8:00 a.m.

**H 577:** **Rep. Dorothy Moon**, District 8, presented **H 577** for cannabidiol oil (CBD) use. She related the story of **Josh Phillips** of Salmon, his athletic dreams, seizures, and results from using CBD oil. At .3% THC is not hallucinogenic, although it is listed as a Schedule I controlled substance. With this legislation, a licensed physician provides a statement of use and monitors the patient's CBD oil use. Hemp is already used in a variety of ways, when THC is not a component.

Answering questions, **Rep. Moon** stated **H 577** would be null and void when CBD is removed from Schedule I. Already available in stores, CBD oil products claiming zero THC may actually contain a trace amount and, therefore, be illegal.

Testifying **in opposition** to **H 577** were **Nicole Fitzgerald**, Administrator, Governors Office of Drug Policy; **John Evans**, Mayor, Garden City; **Rick Allen**, Chief of Police, Garden City, Second Vice President, Fraternal Order of Police; **Jeff Lavey**, Chief of Police, Meridian; **Sarah Clendenon**, Health Freedom Idaho; **William Martin**, Physician; **Mike Kane**, Sheriffs Association; **Monte Stiles**, Former Federal Drug Prosecutor, Drug Educator; **Michael Snyder**, Congressional Candidate; **Matthew Gamette**, Lab. Assistant, Director, Idaho State Police Forensic Services; **Miste Gardner Karlfeldt**, Health Freedom Idaho; **Ann Nord**, State Forensic Laboratory Technician, Coeur d'Alene Laboratory; **Peter Vasquez**, Consultant; **Holly Rebholtz**, Idaho Prosecuting Attorney's Association.

Their concerns included: the impact on law enforcement, lab testing, and prosecutors; the legislation's necessity when an FDA approved product is pending; the quality of CBD artisan products; the lack of established testing, procedures and studies; the omission of dosage, purchase or possession limits; physician note legitimacy discernment; possible step toward marijuana legalization; the omission of the Prescription Monitoring Program; the conflict with a Ninth Circuit Court decision; the unlikelihood of insurance coverage; and, the lack of oil specification in the definition.

Testifying **in support** of **H 577** were **Holly Bunderson**, Mother of **Scout**; **Brad Arndt**, Self; **Dr. Ann Huycke**, Integrative Medicine, Former Emergency Room Physician; **Erik Nelson**, Self; **Bryce Bunderson**, Father of **Scout**; **Phil Haunschild**, Idaho Freedom Foundation; **Katie Donahue**, Cannabis Patient.

They shared personal stories, the impact of CBD oil on life quality, the stress of choosing to break the law, CBD use for conditions beyond epilepsy, FDA red tape, the suspected high cost of Epidiolex, and the importance of physician involvement.

**Anne Lawler**, Executive Director, Board of Medicine (BOM), testified. Although no official position on **H 577**, the BOM suggests revision to maintain its ability for investigating and imposing action upon physicians causing patient harm. She also requested removal of neurologist references, a non-BOM regulated specialty.

For the record no one else indicated their desire to testify.

**MOTION:** **Rep. Zollinger** made a motion to send **H 577** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Wagoner** made a substitute motion to send **H 577** to General Orders.

**MOTION WITHDRAWN:** After committee discussion, **Rep Wagoner** withdrew his substitute motion to send **H 577** to General Orders.

**VOTE ON MOTION:** **Original motion carried by voice vote. Rep. Moon** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:16 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary