



SENATE BILL 124: LEO Managed CBD Oil Drop Box.

2017-2018 General Assembly

Committee:		Date:	August 21, 2018
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2018-36		

OVERVIEW: *S.L. 2018-36 requires all residual oil from hemp extract that is lawfully possessed by a caregiver for treatment of a patient diagnosed with intractable epilepsy to be disposed of at a secure collection box that is managed by law enforcement, and requires neurologists approving dispensation to a caregiver of residual oil from hemp extract to inform the caregiver of this disposal requirement.*

This act will become effective December 1, 2018.

CURRENT LAW: The North Carolina Controlled Substances Act (CSA) establishes criminal penalties for the possession of cannabis as a Schedule VI drug.¹ Possession of cannabis in the form of hemp extract is punishable as a Class 3 misdemeanor or higher.²

Under an exemption from the CSA, however, a caregiver may lawfully possess and use hemp extract to treat a patient for a patient diagnosed with intractable epilepsy³ in accordance with requirements set forth in the Epilepsy Alternative Treatment Act (EATA).⁴

Under the EATA, a neurologist may lawfully approve the dispensation of hemp extract to a caregiver for a patient diagnosed with intractable epilepsy who is registered by the Department of Health and Human Services.

BILL ANALYSIS:

Section 1 of the act requires caregivers lawfully possessing or using hemp extract for treatment of a patient diagnosed with intractable epilepsy to dispose of all residual oil from the extract at a secure collection box managed by a law enforcement agency. No criminal penalty will result from a violation of this disposal requirement.

Section 2 of the act requires a neurologist who approves dispensation of hemp extract to a registered caregiver to inform the caregiver of the requirement that all residual oil must be disposed of at a secure collection box managed by law enforcement.

EFFECTIVE DATE: This act will become effective December 1, 2018.

¹ G.S. 90-94.

² G.S. 90-95(d)(4).

³ "Intractable epilepsy" is defined as a seizure disorder, as determined by a neurologist, that does not respond to three or more treatment options. G.S. 90-113.101(6).

⁴ Article 5 of Chapter 90 of the General Statutes.

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