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H.B. 60
134th General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsors: Reps. Brent and Seitz

Erika Kramer, Attorney

SUMMARY

- Adds autism spectrum disorder as a qualifying medical condition for purposes of the Medical Marijuana Control Program.

DETAILED ANALYSIS

Autism spectrum disorder

The bill adds autism spectrum disorder as a qualifying medical condition for purposes of Ohio's Medical Marijuana Control Program, described below.¹

Medical Marijuana Control Program overview

Ohio's Medical Marijuana Control Program was established in 2016 in H.B. 523 of the 131st General Assembly. The first sales of medical marijuana in Ohio occurred in January, 2019. Ohio law gives three state agencies the authority to regulate various aspects of the program. The State Medical Board is responsible for certifying physicians to recommend medical marijuana to patients and adding qualifying medical conditions for which medical marijuana may be recommended. The State Board of Pharmacy regulates medical marijuana retail dispensaries, registers medical marijuana patients and caregivers, and approves new forms of medical marijuana. Finally, the Department of Commerce is responsible for licensing medical marijuana cultivators, processors, and testing laboratories.

Qualifying medical conditions

Under Ohio law, only a patient diagnosed with a qualifying medical condition may use, possess, or purchase medical marijuana. The Revised Code specifies 21 qualifying conditions:

¹ R.C. 3796.01(A)(6)(d).

- AIDS
- Alzheimer’s Disease
- Amyotrophic Lateral Sclerosis (Lou Gehrig’s Disease)
- Cancer
- Chronic Traumatic Encephalopathy
- Crohn’s Disease
- Epilepsy or other seizure disorders
- Fibromyalgia
- Glaucoma
- Hepatitis C
- Inflammatory Bowel Disease
- Multiple Sclerosis
- Pain that is either chronic and severe or intractable
- Parkinson’s Disease
- Positive status for HIV
- Post-Traumatic Stress Disorder
- Sickle Cell Anemia
- Spinal Cord Disease or Injury
- Traumatic Brain Injury
- Tourette’s Syndrome
- Ulcerative Colitis.²

The bill adds autism spectrum disorder to this list.³

Petitions

Current law also includes as a qualifying medical condition any other disease or condition added by the Medical Board. Individuals may petition the Board to approve a condition or disease as a qualifying medical condition.⁴ The Board establishes yearly submission periods for accepting petitions. Since the program's inception, the Board has added cachexia,

² R.C. 3796.01(A)(6).

³ R.C. 3796.01(A)(6)(d).

⁴ R.C. 4731.302.

Huntington's disease, terminal illness, and spasticity as qualifying conditions, through the petition process.⁵

The submission period for 2021 was November 1, 2021, through December 31, 2021.⁶ Based on those submissions, in February 2022, the Board determined that the petitions for opioid use disorder and autism spectrum disorder met the initial requirements to move forward for expert review and public comment.⁷

HISTORY

Action	Date
Introduced	02-03-21
Reported, H. Health	01-26-22
Passed House (77-14)	03-02-22

ANHB0060PH-134/ar

⁵ See [Three new qualifying conditions](#) and [Ohio medical marijuana](#), both of which may be accessed by conducting a search of [Cincinnati.com](#).

⁶ See [Petition submission period](#), which is available under About on the Ohio Medical Marijuana Control Program website: medicalmarijuana.ohio.gov.

⁷ See [State Medical Board new qualifying conditions](#), which may be accessed by conducting a search on the State Medical Board website.