

HOUSE BILL No. 2029

By Committee on Health and Human Services

1-11

1 AN ACT concerning public health; relating to cannabidiol investigational
2 products; regulation.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this section, unless the context requires
6 otherwise:

7 (1) "Cannabidiol" or "cbd" means a compound derived from the
8 cannabis plant that is devoid of psychoactive activity.

9 (2) "Department" means the department of health and environment.

10 (3) "Investigational product" means a pharmaceutical form of an
11 active ingredient or placebo being tested or used as a reference in a clinical
12 trial, including a product with a marketing authorization when used in a
13 way different from the approved form, or when used for an unapproved
14 indication, or when used to gain further information about an approved
15 use.

16 (b) If a cannabidiol investigational product that is newly approved as
17 a prescription medication pursuant to 21 U.S.C. § 360bb and 21 U.S.C. §
18 355 is controlled or decontrolled under a federal interim final rule issued
19 pursuant to 21 U.S.C. § 811(j), then similar control or decontrol of the
20 cannabidiol investigational product under the uniform controlled
21 substances act shall be immediately effective upon the date of publication
22 in the federal register of the interim final rule.

23 (c) When a federal final rule is issued pursuant to 21 U.S.C. § 811(j),
24 after interested persons had an opportunity to comment on a federal final
25 interim rule, changes necessary to conform the control or decontrol of a
26 cannabidiol investigational product under subsection (b) shall be
27 immediately effective upon the date of publication in the federal register of
28 the federal final rule.

29 (d) Control or decontrol under the uniform controlled substances act
30 in conformance with federal law may be altered by state statute or an
31 emergency or temporary rule or regulation issued by the department to
32 address an immediate danger to public health, safety or welfare.

33 Sec. 2. This act shall take effect and be in force from and after its
34 publication in the statute book.