

STATE OF COLORADO

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John W. Hickenlooper
Governor

B 2018 004

EXECUTIVE ORDER

Directing the State Board of Health to Evaluate the Safety and Efficacy of Medical Marijuana for the Treatment of Autism Spectrum Disorders in Children

Pursuant to the authority vested in me by Article IV, Section 2 of the Colorado Constitution and the laws of the state of Colorado, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order directing the State Board of Health to evaluate the safety, and efficacy, of medical marijuana for the treatment of autism spectrum disorders in children.

I. Background and Purpose

According to the Centers for Disease Control and Prevention, Autism Spectrum Disorder (ASD) affects one in 72 children in Colorado and one in 59 nationally. Males experience ASD at higher rates than females (one in 37 versus one in 151 nationally). Children and adults with this developmental disability suffer significant social and behavioral challenges. People with ASD have a variety of different symptoms that range from mild to very severe, making diagnosis and prevalence tracking particularly challenging.

Colorado has taken steps to ensure that children with ASD can access the care and treatment they need. Colorado provides coverage for some services for ASD as part of its Medicaid benefit and Colorado insurance law prohibits visit and dollar limits on ASD services. Still, too many parents across Colorado struggle to obtain access to the appropriate services for their children with ASD and to find treatment for the sometimes violent symptoms associated with this disability.

Many children with ASD, especially those with the most severe symptoms, are not well-served by the pharmaceuticals that currently exist for ASD treatment. Some parents of children who suffer from these extreme symptoms hope that medical marijuana may provide their child

and their family's relief. Anecdotal evidence, and limited case studies, from parents in the U.S. and abroad suggests that some children with ASD may be able to more effectively control their symptoms with medical marijuana. Rigorous clinical evidence does not currently exist to demonstrate that medical marijuana is safe and effective for children with ASD, and the Federal Food and Drug Administration has not approved any form of medical marijuana.

After the passage of Amendment 20, allowing for the use of marijuana for medicinal purposes, marijuana may be recommended by physicians to treat one of several "debilitating conditions." The Colorado Department of Public Health and Environment (CDPHE) has created a process that allows the State Board of Health to help determine whether a given condition should be added to the list of debilitating conditions. The medical and scientific experts at CDPHE, in consultation with the State Board of Health, can best weigh the medical safety and efficacy of the administration of medical marijuana to treat ASD.

II. Directives

The CDPHE and the State Board of Health shall consider whether ASD should be added to the list of debilitating conditions for the use of medical marijuana. In considering this addition, CDPHE, in coordination with the State Board of Health, shall:

- study the use of medical marijuana for ASD; and
- prioritize fiscal resources for the next round of MMJ research under the Medical Marijuana Health Research Grant Program to ensure funding is dedicated to researching use of MMJ by patients experiencing ASD.

This study shall:

- evaluate the safety and efficacy of MMJ for autism based on peer reviewed studies;
- encourage and invite direct participation by families with children experiencing ASD;
- conclude within 18 months of the signing of this Executive Order; and
- evaluate and, if needed, modify, current rules to enable CDPHE to perform its analysis and recommend ASD as a qualifying debilitating condition if no significant health or development risk is found; and
- if no significant health or development risk is found, modify existing rules or promulgate new rules authorizing ASD as a qualifying debilitating condition for use of MMJ until such time a significant health or development risk is found, if ever.

III. Duration

This Executive Order shall remain in effect until the State Board of Health completes the directives set forth above, or until it is terminated or extended by further executive order.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this sixth day of
of June, 2018.

A handwritten signature in blue ink, reading "Donna Lynne".

Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.