

Legislative Analysis



ALLOW CONSULTATION WITH VETERINARIAN ON USE OF MARIJUANA OR INDUSTRIAL HEMP ON AN ANIMAL

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House Bill 5085 (H-1) as reported from committee

Sponsor: Rep. Gregory Markkanen

1st Committee: Agriculture

2nd Committee: Ways and Means

Complete to 9-3-20

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 280 of 2020)

BRIEF SUMMARY: House Bill 5085 would amend the Public Health Code to allow a veterinarian to consult with an animal owner on the use of marijuana or industrial hemp on the owner's animal.

FISCAL IMPACT: House Bill 5085 would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs or any other unit of state or local government.

THE APPARENT PROBLEM:

Marijuana and its low-THC cannabis counterpart, industrial hemp, are becoming popular commodities in Michigan and across the nation. [THC, tetrahydrocannabinol, is the psychoactive chemical compound in cannabis.] There are many uses for these plant products, including medicinal or therapeutic uses for both humans and pets. In particular, cannabidiol (CBD), a chemical compound extracted from marijuana and hemp, is thought by many to have beneficial effects in humans that might also apply to pets. Hemp chews for dogs and cats are marketed as remedies for a number of health issues, from anxiety to joint pain to bladder control. However, veterinarians are currently unable to consult with pet owners on the use of marijuana or industrial hemp, even if it is to advise against their use. Legislation has been proposed to allow veterinarians to consult with pet owners on using, or avoiding, marijuana or industrial hemp for optimum pet health.

THE CONTENT OF THE BILL:

House Bill 5085 would add section 18817 to Part 188 (Veterinary Medicine) of the Public Health Code. Under the new section, a veterinarian would be allowed to consult with an animal owner on the use of *marijuana* or *industrial hemp* on that owner's animal.

Marijuana would mean that term as it is currently defined (spelled "marihuana") in section 7106 of the Public Health Code:

- All parts of the plant *Cannabis sativa* L., growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.
- Marijuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination.
- Marijuana also does not include industrial hemp.

Industrial hemp would also mean that term as currently defined in section 7106:

- The plant *Cannabis sativa* L. and any part of that plant, including the viable seeds of that plant and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol (THC) concentration of not more than 0.3% on a dry weight basis.
- Industrial hemp includes industrial hemp commodities and products and topical or ingestible animal and consumer products derived from the plant *Cannabis sativa* L. with a THC concentration of not more than 0.3% on a dry weight basis.

Proposed MCL 333.18817

ARGUMENTS:

For:

Supporters argue that, just as humans need individualized health care and advice, so too do our pets. Some pets may benefit from medicines or other applications derived from marijuana or industrial hemp, while others may experience adverse effects. The current restriction on veterinarians' ability to discuss the benefits, as well as the risks, of treatments for pets derived from marijuana or industrial hemp results in incomplete and inadequate pet health care. Allowing veterinarians to become a trusted source of information, in a marketplace with many competing and confusing claims, would ultimately benefit both pets' health and their owners' peace of mind.

Against:

No arguments against the bill were presented during committee testimony.

POSITIONS:

Representatives of the Michigan Veterinary Medical Association testified in support of the bill. (1-15-20)

The Michigan Cannabis Industry Association indicated support for the bill. (2-26-20)

The Department of Licensing and Regulatory Affairs indicated a neutral position on the bill. (2-26-20)

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