



Statement of Support for HB 19-1028
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Americans for Safe Access (“ASA”) is the nation’s largest nonprofit dedicated to medical cannabis patient and researchers. With over 100,000 members nationwide, ASA works to protect the interests of medical cannabis patients suffering from debilitating conditions.

While ASA believes the decision of which medical conditions medical cannabis is appropriate for should be left to the discretion of a healthcare provider rather than the legislature, the reality of Colorado’s Constitution and accompanying statutes have created an enumerated condition list.¹ ASA works to expand access to medical cannabis for those who need it and thus supports any legislation that serves a larger patient population through expanding the number of conditions or through removing barriers to access.

I. Autism Spectrum Disorder as a Qualifying Condition in other States

ASA fully endorses the changes HB 19-1028 makes to Colorado’s medical cannabis program. Other states have recognized the need to list autism spectrum disorder as a qualifying condition due to patient needs and existing research. In 2010, Dr. Lester Grinspoon wrote that “cannabis should be available for [autistic children] because it costs so little to produce, the risks are so small, and the results so impressive.”²

More recently, in 2017, the [Minnesota Department of Health](#) added autism as a qualifying condition to the state’s medical cannabis program due to a lack of effective current treatment options; negative side effects from pharmaceutical medications; the debilitating effects of autism, including nonverbal tendencies and potential for self-harm; and the social and financial costs of treating the condition.³

¹ COLO. CON. art. XVIII, §14(a)(II), *See also*, COLO. REV. STAT. §25-1.5-106(a.7)(2017).

² Lester Grinspoon, M.D., *A Novel Approach to the Symptomatic Treatment of Autism*, O’SHAUGHNE & Y., Summer (2010) available at <https://www.beyondthc.com/wp-content/uploads/2013/08/GrinspoonAutism.pdf>.

³ Heather Tidd et. al., *Petitions to Add Qualifying Medical Conditions to the Medical Cannabis Program*, Minn. Dept. Health (2017) at 4-5 available at <http://www.health.state.mn.us/topics/cannabis/rulemaking/panelreport2017.pdf>.

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Autism or autism spectrum disorders are also listed as qualifying conditions in Delaware,⁴ Georgia (Low-THC Oil Only),⁵ Louisiana,⁶ Michigan,⁷ Pennsylvania,⁸ Rhode Island⁹, and Puerto Rico.¹⁰ There are several other states, such as California and Massachusetts, that do not explicitly list autism as a qualifying condition, but allow doctors to recommend cannabis for any debilitating condition, which would include autism.¹¹

II. State of Autism Spectrum Disorder Research

A growing body of research has indicated that medical cannabis can play a significant role in the reduction of symptoms associated with autism. Many of the primary treatments for autism include behavioral and developmental interventions.¹² However, more serious manifestations of symptoms are often treated with pharmaceuticals, including antipsychotic medications and stimulants, even though there is not much evidence that these drugs are effective.¹³

A promising Austrian case study showed the use of the cannabinoid delta-9-THC for six months resulted in significant decreases in hyperactivity, lethargy, irritability, stereotypic behavior, and inappropriate speech. Based on these reductions, the researchers proposed that certain cannabinoids may be helpful in mitigating some of the behavioral side effects of autism.¹⁴

⁴ 16-49A-4470 DEL. ADMIN CODE. § 2.0 (allowing use of medical cannabis to treat autism if self injurious or aggressive behavior is present).

⁵ GA. CODE ANN. § 31-2A-18(3)(j) (2017) (providing that patients under 18 must be diagnosed with 'severe autism').

⁶ LA. REV. STAT. ANN. §40:1046 (2)(xvi) (2018).

⁷ LARA Communications, *LARA Director Approves Eleven New "Debilitating Medical Conditions" for Michigan Medical Marijuana Patients*, MICH. DEP'T OF LICEN & REG. AFFAIRS, July 9, 2018.

⁸ 35 PA. CON. STAT. § 10231.103(17)

⁹ Sarah Doiron & Steve Nielson, *Medical Marijuana Approved in RI for Children, Adults with Autism*, WPRI, (Oct. 17, 2018),

<https://www.wpri.com/community/health/medical-marijuana-approved-in-ri-for-children-adults-with-autism/1528728479>

¹⁰ Puerto Rico Dep't of Health, *Patient Statistics*, (last accessed Jan. 8, 2019),

<http://www.salud.gov.pr/Documents/Cannabis/Estadísticas%20Pacientes.pdf>

¹¹ See e.g., 105 Mass. Code Regs. 725.004 (defining debilitating medical condition to include "other debilitating conditions as determined in writing by a qualifying patient's healthcare provider").

¹² Melissa L. McPheeters, et. al., *A Systematic Review of Medical Treatments for Children with Autism Spectrum Disorders*, PEDIATRIC, 2011 at 127

¹³ *Id.*

¹⁴ Blaz R. Kurz, *Use of Dronabinol (delta-9-THC) in Autism*, CANNABINOIDS, 4-6 (2010).

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While there have not been any completed randomized controlled clinical trials for cannabis as a treatment for autism spectrum disorder, there have been a number of observational studies, animal research, and preclinical studies that have shown promising results. Minnesota's Department of Health aptly summarizes these studies in its Autism Spectrum Disorder Issue Brief (**Exhibit 1**).

III. Removal of Restrictions on Pediatric Healthcare Providers

ASA supports the removal of overly cumbersome restrictions on physicians who wish to recommend cannabis to patients under the age of eighteen. Patients under the age of eighteen are already burdened by the requirement that two separate physicians must diagnose their condition. This requirement is not in place for adult patients and only a few states with medical cannabis programs have similar requirements. Requiring one of the two physicians to be hyper-specialized severely limits the available number of physicians capable of writing recommendations for minors. Removing the requirement that physicians carry certain specializations would allow more physicians to recommend medical cannabis, providing a greater number of access points for patients.

ASA urges the Colorado legislature to quickly pass HB 19-1028 to ensure that those with Autism Spectrum Disorder can have access to medicinal cannabis.

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