

**New Hampshire**  
**Therapeutic Cannabis Medical Oversight Board**  
**Annual Report 2022**

**Membership**<sup>1</sup>

Virginia Brack, MD, Pediatrics  
Heather Brown, Qualifying Patient (alternate chair)  
Corey Burchman, MD, Alternative Treatment Center Clinical Representative (Prime ATC)  
Jerry Knirk, MD, Physiatry/Orthopedics (chair)  
Jill MacGregor, Family/Internal Medicine  
Richard Morse, MD, Neurology  
Molly Rossignol, DO, Addiction  
Seddon Savage, MD, Pain Management  
Patricia Tilley, Director, NH Division of Public Health Services, designated by Jonathan Ballard, MD,  
Medical Director, NH Department of Health and Human Services  
Lisa Withrow, APRN, FNP-C, ACHPN, Oncology

**Charge**

The Board's charge, pursuant to RSA 126-X:12, IV, is to "monitor and contribute to the oversight of the clinical, quality, and public health related matters of therapeutic cannabis under this chapter by:

- (a) Reviewing medical and scientific evidence pertaining to currently approved and additional qualifying conditions.
- (b) Reviewing laboratory results of required testing of cannabis cultivated and/or processed by an alternative treatment center and the use of pesticides on products under RSA 126-X:6, III(a)(16).
- (c) Monitoring clinical outcomes.
- (d) Reviewing training protocols for dispensary staff based on models from other states.
- (e) Receiving updates from alternative treatment centers on effectiveness of various strains, types of cannabinoids, and different routes of administration for specific conditions.
- (f) Reviewing best practices for medical providers regarding provider education, certification of patients, and patient access to the program.
- (g) Reviewing any other clinical, quality, and public health related matter relative to use of cannabis under this chapter."

In addition, the Board may make recommendations to the Commissioner of DHHS to add or remove qualifying medical conditions under RSA 126-X:1, IX, based on its findings and after receiving input from the public through a public hearing process.

Lastly, the Board shall make an annual report to the president of the senate, the speaker of the house of representatives, the oversight committee on health and human services established under RSA 126-A:13, the board of medicine, the board of nursing, and the therapeutic use of cannabis advisory council established under RSA 126-X:9.

---

<sup>1</sup> Three vacancies in 2022, representing palliative care, obstetrics and gynecology, and psychiatry.

## **Meeting Dates**

The Therapeutic Cannabis Medical Oversight Board (TCMOB; Board) convened 8 times, at the offices of DHHS and remotely via Zoom. Meetings were noticed on a webpage maintained by DHHS, <https://www.dhhs.nh.gov/about-dhhs/advisory-organizations/therapeutic-cannabis-medical-oversight-board>, and meeting minutes were posted at the same webpage

## **Activities**

### *Election of Chair and Alternate Chair*

Elected Jerry Knirk as chair and Heather Brown as alternate chair for another two-year term.

### *Legislation*

The TCMOB reviewed and provided clinical expertise and guidance on proposed legislation during the 2022 session and in advance of the 2023 session.

### **2022**

**HB 1619**, adding moderate to severe chronic migraine headaches as a qualifying condition for cannabis certification

- The Board felt that this bill was not necessary, because migraines are already covered by current statute, under the stand-alone qualifying medical condition “moderate to severe chronic pain.” This position is based on the IASP/ICD-11 definition for chronic pain, which includes pain that “persists or recurs.”
- The Board did not vote on an official position or recommendation relative to this bill; information was provided at the legislative hearings.

**HB 1598**, relative to legalizing the possession and use of cannabis

- The Board agreed to take a neutral position on the bill but approved the following statement in support of the Therapeutic Cannabis Program relative to any legalization efforts: “Any legislation that would legalize adult-use cannabis in New Hampshire should be evaluated in light of its potential impacts on the Therapeutic Cannabis Program. The TCP is valuable and must be preserved if adult-use legalization passes.”

### **2023**

**HB 82**, relative to employment protection for participants in the therapeutic cannabis program.

- Board voted unanimously to support the spirit of this bill, but did not evaluate the specific details of how it would be implemented.

**HB 611**, relative to eligibility criteria for the therapeutic cannabis program

- The bill would remove an obstacle to certification for severe pain by removing the requirement for failure of previously prescribed medication or surgery
- Board unanimously supported the LSR as written

**HB 610**, expanding the definition of providers who can certify a patient of the therapeutic cannabis program.

- The bill, filed at the request of the TCMOB, (1) would allow certification by any provider licensed to prescribe drugs to humans and who possesses an active DEA registration, and (2) regarding certification of minor patients, would expand the option for the second required certification to family practice providers who provide pediatric care. Current statute requires a pediatrician to

certify, but many children, especially older children, receive their care from family practice providers. This creates a barrier to accessing the program due to the lack of practicing pediatricians in the state.

- Board unanimously approved the LSR as written.

### *Education*

The Board continued its work on finalizing educational slide decks to be used on the website and for presentations to medical provider groups.

### *Effectiveness Survey*

The Board reviewed all previously used effectiveness surveys and consolidated the best elements for brevity, clarity and ease of use. The Board's goal is to have a uniform survey used by all ATCs to obtain information regarding effectiveness of various strains and formulations for various symptoms and conditions. This survey is intended to be taken by individuals who have been using therapeutic cannabis (not brand new patients). The survey will be administered in calendar year 2023.

### *Epilepsy as a Qualifying Medical Condition for Children and Adults under Age 21*

Throughout the year, the Board considered whether to exercise its charge to review the medical and scientific evidence pertaining to a currently approved qualifying medical condition: epilepsy, with a particular emphasis on children and young adults. A workgroup of three members was assigned, which conducted individual literature reviews on the subject. The reviews, and subsequent recommendations, were presented to the full Board in December 2022. The Board voted to formally reconsider epilepsy as a qualifying medical condition for children under 21 years old and to proceed with a public hearing on the subject, to be held in June 2023.

### *Other Activities*

The Board discussed the TCP patient listening session held in late 2021, noting many comments on issues of allowing home cultivation, cost and affordability, product availability and accessibility, and considered how these issues could be integrated into the work of the Board under its current charge.

The Board agreed to review the laboratory testing standards and appointed a workgroup to review the issues and report back to the Board at an unspecified date.

The Board reviewed TCP registry rule changes (He-C 401) which implemented various statutory change in the preceding years, and contributed guidance on matters related to implementation.

## **Conclusion**

In summary, TCMOB continues to be a very high-functioning board providing medical oversight to the state's Therapeutic Cannabis Program. The Board members are engaged, active, and work very hard at meeting their legislative responsibilities. The Board is pleased that the Legislature appears appreciative of its efforts and seriously considers its recommendations.