

2014 Iowa Medical Cannabidiol Act (IMCA, SF 2360)

Quick Facts

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This fact sheet was prepared by the Iowa Office of Drug Control Policy (<http://www.iowa.gov/odcp>) for informational purposes only. ODCP does not dispense legal advice. Please seek legal counsel as warranted.

- The IMCA passed by the Legislature in April 2014 and signed into law by Governor Branstad May 30, 2014, is effective July 1, 2014. The Iowa Department of Public Health is currently developing administrative rules and an implementation plan for SF 2360.
- CBD, or cannabidiol, is defined in the IMCA as *“a non-psychoactive cannabinoid found in the plant Cannabis sativa L. or Cannabis indica or any other preparation thereof that is essentially free from plant material, and has a tetrahydrocannabinol level of no more than three percent.”* (Tetrahydrocannabinol, or THC is a psychoactive compound in cannabis.)



[CBD is often used as a solution. Contents may vary in color and consistency, and so too may packaging and oral/transdermal delivery systems. These photos show a few, but not all, examples of CBD.]

- As a non-psychoactive extract of the cannabis plant with low potential for abuse, CBD is not marijuana or “medical marijuana,” as defined and sometimes discussed. Marijuana, with a high potential for abuse, remains prohibited in Iowa as a Schedule I Controlled Substance.
- There is evidence that CBD may provide relief to some severe seizure patients, such as those with Dravet or Lennox-Gastaut syndrome. A pharmaceutical CBD product is being tested for these conditions in clinical trials sanctioned by the U.S. Food and Drug Administration.
- CBD may be used by patients with “intractable epilepsy,” defined in the IMCA as *“an epileptic seizure disorder for which standard medical treatment does not prevent or significantly ameliorate recurring, uncontrolled seizures or for which standard medical treatment results in harmful side effects.”*
- For a patient or primary caregiver to legally possess or use CBD in Iowa, they must have an Iowa registration card recommended by an Iowa-licensed neurologist, approved by the Iowa Department of Public Health and issued by the Iowa Department of Transportation. The card must be renewed annually. The IMCA does not recognize cards from other states.

- An Iowa-licensed neurologist may submit a written form to the Iowa Department of Public Health recommending a CBD registration card for patients with intractable epilepsy who have undergone at least six months of other unsuccessful treatment by a neurologist.
- “Primary caregivers” of Iowa patients may also qualify for an Iowa CBD registration card. Primary caregiver is defined in the IMCA as *“a person, at least eighteen years of age, who has been designated by a patient’s neurologist or a person having custody of a patient, as being necessary to take responsibility for managing the well-being of the patient with respect to the medical use of cannabidiol.”*
- CBD cards issued to patients or primary givers by the Iowa Department of Transportation, at a minimum, must include the following cardholder information: full name, Iowa residence, date of birth, photo, card issuance and expiration dates, and information required by rules.
- Administration of CBD to registered Iowa patients is limited to oral and transdermal forms (no smoking). CBD used for these purposes is often produced in a solution.
- Registered Iowa patients or primary caregivers may possess up to 32 ounces per patient (estimated five to six month supply).
- CBD must come from out-of-state sources. The IMCA does not permit CBD production/cultivation, sales or other distribution in Iowa.
- Iowa patients, primary caregivers and neurologists who comply with the IMCA are not subject to criminal prosecution for violating Iowa marijuana laws. The possession or use of CBD in compliance with the IMCA is an affirmative and complete defense.
- A person who knowingly or intentionally possesses or uses CBD in violation of the IMCA is subject to criminal penalties under Iowa Code chapters 124 and 453B.
- The IMCA requires the University of Iowa to report annually to the Iowa Department of Public Health and Iowa Legislature on scientific studies of CBD and treatment efficacy.
- The IMCA is automatically repealed July 1, 2017.

The Iowa Department of Public Health is in the process of implementing the IMCA, and is developing administrative rules to provide additional guidance. The IMCA may be reviewed at:

http://coolice.legis.iowa.gov/linc/85/external/SF2360_Enrolled.pdf.

For additional information on the IMCA, please contact:

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