

**STATEMENT OF BASIS AND PURPOSE
AND SPECIFIC STATUTORY AUTHORITY FOR
Proposed Amendments to Rules and Regulations Pertaining to
Medical Use of Marijuana (5 CCR 1006-2), Regulation 6 – Debilitating Medical
Conditions and the Process for Adding New Debilitating Medical Conditions –
Tourette’s Syndrome
July 27, 2010**

Basis and Purpose.

On March 26, 2010, the Colorado Department of Public Health and Environment (department) received a petition from a patient to add Tourette’s syndrome as a debilitating medical condition for which an individual could apply to the Medical Marijuana Program for a registry identification card. Based upon both the information supplied by the petitioner and a review of the medical literature which shows some scientific evidence of efficacy in humans and no evidence of harm, the department is bringing this rulemaking action to add Tourette’s syndrome as a debilitating medical condition for which an individual could apply to the Medical Marijuana Program for a registry identification card.

Specific Statutory Authority.

These rules are promulgated pursuant to the following statutes:
C.R.S. § 25-1.5-106 and Colo. Constitution article XVIII, section 14.

Major Factual and Policy Issues Encountered.

The department requires evidence of efficacy in humans with the use of medical marijuana in order to request a rulemaking hearing to add a condition to the list of eligible medical conditions for the Medical Marijuana Program. In reviewing the petition and other peer-reviewed articles published on PubMed, the official search program for the National Library of Medicine and the National Institutes of Health, the department determined that Tourette’s syndrome is a chronic, debilitating, specifically diagnosable condition for which there is scientific evidence that treatment with medical marijuana may have a beneficial effect.

Alternative Rules Considered and Why Rejected.

No alternative rules were considered.