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Rhode Island Department of Health

Decision

**In Response to A Petition to Include Autism Spectrum Disorder
As A Qualifying Condition for Medical Marijuana**

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Director of Health

October 16, 2018

The Rhode Island Department of Health (RIDOH) received and reviewed a Petition to add Autism Spectrum Disorder (ASD) as a debilitating condition pursuant to R.I. Gen. Laws § 21-28.6-5. This Petition, dated April 20, 2018, was received by the RIDOH on April 20, 2018. In response to the Petition, a public hearing was held on August 27, 2018, at which time all persons interested were heard. The RIDOH has reviewed the written and oral public comments received as a result of the hearing, conducted a review of the existing published research and, after much careful thought and consideration, hereby announces the final decision to include Autism Spectrum Disorder based on diagnostic criteria included in the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-V) (Diagnosis Code 299.00), as a qualifying debilitating condition for medical marijuana, with the following symptoms:

- * Repetition of self-stimulatory behavior of such severity that the physical health of the persons with ASD or others is jeopardized, and/or
- * Avoidance of others or inability to communicate with others to such severity that the physical health of the person with ASD is jeopardized.

For patients diagnosed with ASD, practitioners must:

1. Consider FDA-approved medications, including the off-label use of the pharmaceutical grade forms of pure CBD prior to initiating medical marijuana therapy. If use of these medications is not implemented, the practitioner must document the reason in the patient's medical record.
2. Consult with a pediatric sub-specialist in child psychiatry, pediatric neurology, or developmental pediatrics for all patients under the age of eighteen (18) years of age prior to initiating medical marijuana therapy. This consultation must be documented in the patient's medical record. No practitioner may recommend medical marijuana for treatment of any condition associated with ASD for a patient under eighteen (18) years of age without such consultation taking place.
3. Assess patients under eighteen (18) years of age at least three (3) months after initiation of medical marijuana therapy, in consultation with a pediatric sub-specialist in child psychiatry, pediatric neurology, or developmental pediatrics. This assessment and consultation must be documented in the patient's medical record.
4. Discontinue medical marijuana therapy if there is no improvement in the patient's repetition of self-stimulatory behavior of such severity that the physical health of the persons with ASD or others and/or avoidance of others or inability to communicate with such severity that the physical health of the person with ASD is jeopardized, or a worsening of such behaviors. Another trial of medical marijuana therapy will be allowed only after the passage of at least three (3) months after the previous trial of medical marijuana has been discontinued. All subsequent trials of medical marijuana must follow the same requirements.

This Decision will be filed with the Rhode Island Department of State and are effective today. RIDOH will update its regulations regarding medical marijuana to reflect these changes. This decision is a final action of RIDOH, subject to judicial review.



Nicole Alexander-Scott, MD, MPH
Director
Rhode Island Department of Health



Date