



April 14, 2025

Texas House Public Health Committee
Chairman VanDeaver and Committee Members
1100 Congress Ave., Room EXT E2.172
Austin, Texas 78701

Written Testimony in Support of House Bill 46: Improving the Texas Compassionate Use Program

Chairman VanDeaver and Members of the Committee,

I'm writing in strong support of House Bill 46, Chairman Ken King's bill to improve the Texas Compassionate Use Program (TCUP). This important legislation represents a meaningful and measured step forward for the program, improving access, availability, and treatment options for thousands of patients across our state.

Under current law, access to medical cannabis is limited to a limited number of qualifying conditions, and only three dispensaries serve the entire state. **As of 2024, Texas has over 107,000 patients enrolled in the program since its inception, yet only about 21,000 remain active—just 20%—reflecting real gaps in access and availability.**

Overview of House Bill 46

- Redefines allowable THC limits in milligrams—rather than as a percentage by weight—aligning Texas with how dosages are prescribed in other areas of medicine. Ensuring patients can receive a 90-day supply of medicine, with 20mg THC per dose, and 1.2g THC per package.
- Expands available product types to include patches, lotions, suppositories, and medically approved inhalers, nebulizers, and vaping devices—providing safer and more versatile options for patients with complex medical needs.
- Increases patient access by requiring the Department of Public Safety (DPS) to issue 11 dispensing licenses, with at least one license located in each of the state's 11 public health regions. The bill also allows dispensing organizations to open satellite locations with DPS approval.

These proposed improvements respond directly to the significant barriers to care identified in the 2024 Compassionate Use Program Analysis, which concluded: **"The current program does not meet either the access or availability standard statewide."**

Recommendation to Further Expand and Improve the Compassionate Use Program

Patient Access: We commend Chairman King's leadership in proposing these vital improvements and we encourage the committee to consider **adding more qualifying conditions** so more patients have legal access to the program. Ideally, physicians would be empowered to recommend medical cannabis based on their clinical judgment.

At a minimum, patients suffering from **severe pain** deserve the option to use cannabis as a safer alternative to opioids, and the Department of State Health Services should be delegated authority to approve new qualifying conditions.

Business Licensing: In the spirit of free enterprise and innovation, we recommend **removing the statutory cap** on the number of licenses. Let the Department of Public Safety determine the appropriate number of licenses based on patient need, population, and infrastructure.

Additionally, **licensing fees should be reconsidered**. The current \$488,000 initial fee and \$315,000 renewal fee every two years create a barrier to entry and limit competition—especially for small businesses.

HB 46 is a timely, thoughtful proposal that will help ensure more Texans have safe, legal access to cannabis medicine. It also provides a clearer path forward for Texas businesses to participate as licensed operators in Texas' medical cannabis program.

We respectfully urge the committee to support HB 46 and consider the recommended improvements to further enhance this critical program.

Thank you for your time, consideration, and service.

Sincerely,

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