CONSENT CALENDAR

April 8, 2026

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred SB 400,

AN ACT relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Erica Layon

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Executive Departments and Administration**
Bill Number:	**SB 400**
Title:	**relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.**
Date:	**April 8, 2026**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2026-1309h**

STATEMENT OF INTENT

This bill would expand upon the existing duty of the therapeutic cannabis medical oversight board (TCMOB) by requiring a methodically documented review of all available data on all currently approved and additional qualifying conditions every two years. The TCMOB already reviews medical literature relative to therapeutic cannabis. Additionally, medical specialty groups typically undertake a robust analysis of all data on a 3-5 year cycle with numerous professionals dedicating significant time to this process. As a volunteer board which already meets twice as frequently as statutorily required, mandating a review process twice as frequently as industry standards would likely impact board participation and reduce the ability of the board to fulfill other statutorily required duties. One proponent of the bill suggested hiring researchers to conduct this work, with the cost assessed to the three non-profit alternative treatment centers (ATC). Testimony from the ATCs made clear that the expense would ultimately be paid by the patients accessing therapeutic cannabis at New Hampshire ATCs. The committee notes that the TCMOB will hold a hearing to review medical evidence on hepatitis C and glaucoma soon, demonstrating the board's ongoing efforts regarding medical oversight and data analysis. Recognizing that the TCMOB annual report does not always include information on the board's review of medical literature, the amendment would require documentation of these reviews including findings and recommendations backed up by literature citations.

Vote 13-1.

Rep. Erica Layon
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

SB 400, relative to duties and reporting requirements of the therapeutic cannabis medical oversight board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill would expand upon the existing duty of the therapeutic cannabis medical oversight board (TCMOB) by requiring a methodically documented review of all available data on all currently approved and additional qualifying conditions every two years. The TCMOB already reviews medical literature relative to therapeutic cannabis. Additionally, medical specialty groups typically undertake a robust analysis of all data on a 3-5 year cycle with numerous professionals dedicating significant time to this process. As a volunteer board which already meets twice as frequently as statutorily required, mandating a review process twice as frequently as industry standards would likely impact board participation and reduce the ability of the board to fulfill other statutorily required duties. One proponent of the bill suggested hiring researchers to conduct this work, with the cost assessed to the three non-profit alternative treatment centers (ATC). Testimony from the ATCs made clear that the expense would ultimately be paid by the patients accessing therapeutic cannabis at New Hampshire ATCs. The committee notes that the TCMOB will hold a hearing to review medical evidence on hepatitis C and glaucoma soon, demonstrating the board's ongoing efforts regarding medical oversight and data analysis. Recognizing that the TCMOB annual report does not always include information on the board's review of medical literature, the amendment would require documentation of these reviews including findings and recommendations backed up by literature citations. **Vote 13-1.**

Original: House Clerk
Cc: Committee Bill File

Rep. Layon, Rock. 13
March 31, 2026
2026-1309h
05/09

Amendment to SB 400

Amend the bill by replacing all after the enacting clause with the following:

1 Therapeutic Cannabis Medical Oversight Board; Reporting Requirement. Amend RSA 126-X:12, VI to read as follows:

VI. On or before January 1 of each year, the board shall make a 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, and the board of nursing. ***The report shall include documentation of the board's reviews of currently approved and additional qualifying medical conditions, including the board's findings and recommendations, and citations to the medical and scientific evidence reviewed by the board.***

2 Effective Date. This act shall take effect 60 days after its passage.

2026-1309h

AMENDED ANALYSIS

This bill requires the annual report by the therapeutic cannabis medical oversight board to include documentation of the board's review of currently approved and additional qualifying medical conditions, including the board's findings and recommendations, and citations to the medical and scientific evidence reviewed by the board.

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 400

BILL TITLE: relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.

DATE: April 8, 2026

GP ROOM: 231

MOTIONS: **OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Layon	Seconded by Rep Grote	AM Vote: 14-0
Amendment # 2026-1309h		
Moved by Rep. Layon	Seconded by Rep Grote	Vote: 13-1

☐ **WITHOUT RECOMMENDATION**

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 400

BILL TITLE: relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.

DATE: 4-8-26

GP ROOM: 231

MOTION: (Please check one box)

☐ OTP ☐ ITL ☐ Retain (1st year) ☑ Adoption of Amendment # 1309-H *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. LAYON Seconded by Rep. GROTE Vote: 14-0

MOTION: (Please check one box)

☐ OTP ☒ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. LAYON Seconded by Rep. GROTE Vote: 13-1

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ *(if offered)*

☐ Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

☐ **WITHOUT RECOMMENDATION**

CONSENT CALENDAR: X **YES** ____ **NO**

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion_____

Respectfully submitted: _____

Rep John Sytek, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2026 10:20:46 AM
Roll Call Committee Registers Report

2026 SESSION

Executive Departments and Administration

Bill #: SB 400 **Motion:** OTP/A **AM #:** _____ **Exec Session Date:** _____

Members	YEAS	Nays	NV
Layon, Erica J Chairman	X		
Slottje, Jeremy Vice Chairman	X		
Sytek, John J Clerk	X		
Pearson, Stephen C.	X		
Bailey, Glenn	X		
Sellers, John	X		
Thibault, James R			
DeRoy, Susan G	X		
Kelley, Diane E.	X		
Grote, Jaci L	X		
Schmidt, Peter B	X		
Davis, Fred E	X		
Dargie, Paul P	X		
Howard, Heath	1	X	
de Vries, Erica R			
Long, Patrick N	X		
TOTAL VOTE:			

13-1
CC

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2026 10:20:46 AM
Roll Call Committee Registers Report

2026 SESSION

Executive Departments and Administration

Bill #: SB 400 Motion: ADOPT AMEND AM #: 1309H Exec Session Date: 4-8-26

Members LAY / ORO	YEAS	Nays	NV
Layon, Erica J Chairman	X		
Slottje, Jeremy Vice Chairman	X		
Sytek, John J Clerk	X		
Pearson, Stephen C.	X		
Bailey, Glenn	X		
Sellers, John	X		
Thibault, James R			
DeRoy, Susan G	X		
Kelley, Diane E.	X		
Grote, Jaci L	X		
Schmidt, Peter B	X		
Davis, Fred E	X		
Dargie, Paul P	X		
Howard, Heath	X		
de Vries, Erica R			
Long, Patrick N	X		
TOTAL VOTE:			

14-0
ADA

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 400

BILL TITLE: **relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.**

DATE: **March 25, 2026**

GP ROOM: **231** **Time Public Hearing Called to Order:** **10:15am**

Time Adjourned: **11:00am**

Committee Members: **Reps. Layon, Slottje, Sytek, S. Pearson, Bailey, Sellers, DeRoy, D. Kelley, Schmidt, F. Davis, Dargie, H. Howard, de Vries and Long**

Bill Sponsors:

Sen. Gannon	**Sen. Birdsell**	**Sen. Rochefort**
Sen. Pearl	**Rep. Barbour**	**Rep. Creighton**
Rep. Vose	**Rep. L. Walsh**	

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Grote introduced bill for Sen Gannon

Sue Homola, in support, said oversight board is supposed to recommend and review qualified medical conditions for medical marijuana but there is no time line. The bill specifies biennial review and requires citation of sources for their recommendations.

Matt Pitaro said he supported the recreational use of marijuana and supported bill for the reasons already stated.

Dr. Jerry Knirk, Chair of the Therapeutic Cannabis Medical Oversight Board was neutral. He said bill was unnecessary, citing reasons, and unworkable. Described current process of reviewing qualified conditions. He was willing to work on an amendment to accomplish goals of bill.

Dr. James Kelly, MD, primary care physician, spoke in support. He said family doctors depend on recommendations of the TCMOB as their only tool for accurate information. It needs to be timely, and should cite references. He wanted to avoid re-litigating all eligible conditions.

Matt Simon from Granite Leaf Cannabis opposed bill because the Board would be overwhelmed by additional work.

Respectfully submitted,

Rep. John Sytek, Clerk

Rep. Layon, Rock. 13
March 31, 2026
2026-1309h
05/09

Amendment to SB 400

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VI. On or before January 1 of each year, the board shall make a 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, and the board of nursing. ***The report shall include documentation of the board's reviews of currently approved and additional qualifying medical conditions, including the board's findings and recommendations, and citations to the medical and scientific evidence reviewed by the board.***

2 Effective Date. This act shall take effect 60 days after its passage.

2026-1309h

AMENDED ANALYSIS

This bill requires the annual report by the therapeutic cannabis medical oversight board to include documentation of the board's review of currently approved and additional qualifying medical conditions, including the board's findings and recommendations, and citations to the medical and scientific evidence reviewed by the board.

SIGN UP SHEET

Register Your Opinion If Not Testifying

Committee: Executive Departments and Administration

Bill #: SB 400 **Date: 5/25/2026**

****Please Print All Information****

Name	Address	Phone	Representing	Pro	Con
Elizabeth Sargent			NH Chiefs of Police Assoc.	✓	
HON JERRY KNIRK		617-448-7557	THERAPEUTIC CANNABIS MEDICAL OVERSIGHT BOARD TCMOB		✓
Kate Frey			New Futures	✓	

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB400 on 2026-03-25

Support: 4 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Rochefort, Senator David	Senate District 1, NH kathryn.cummings@gc.nh.gov	An Elected Official	Senate District 1	Support	No	No	3/10/2026 3:12 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast	A Member of the Public	Myself	Support	No	No	3/16/2026 9:32 AM
Rochefort, Senator David	Senate District 1, NH kathryn.cummings@gc.nh.gov	An Elected Official	Senate District 1	Support	No	No	3/18/2026 1:27 PM
Stone, Cory	DOVER, NH nordichammer212@outlook.com	A Member of the Public	Myself	Oppose	No	No	3/18/2026 4:40 PM
Ebner, Joseph	Plymouth, NH josephebner7@gmail.com	A Member of the Public	Myself	Support	No	No	3/23/2026 8:42 PM

SB 400 TESTIMONY March 25, 2026

Hon. Jerry Knirk, MD, Chair, Therapeutic Cannabis Medical Oversight Board (TCMOB)

I serve as the Chair of the TCMOB, established in 2019 and statutorily charged with medical oversight of the New Hampshire Therapeutic Cannabis Program. TCMOB is composed of 10 medical providers representing different medical specialties, a therapeutic cannabis patient, the medical director of DHHS, and a clinical representative from an Alternative Treatment Center (ATC—the dispensaries).

When TCMOB reviewed this bill, we were unclear about its intent since we already have a statutory charge to review new and existing qualifying conditions, and we have been doing that since our inception. As a result, we did not vote to either support or oppose the bill but instead voted unanimously to provide testimony that the bill is not necessary. The Senate amended the original bill from an annual review to a biennial review.

When new conditions are proposed via legislation, a subcommittee reviews the literature in depth and prepares a report for the board. Sometimes we have a public hearing to gather input from patients and providers and other interested parties, followed by another meeting to finally make a decision. We often disagree and work long and hard adding restrictions and guardrails to finally reach consensus on our recommendation. It is not a quick process.

We already review existing qualifying conditions. Members of the board independently review the literature on an ongoing basis. If formal review is needed, we proceed with a subcommittee literature review, and must have a public hearing if we consider changing the qualifying condition. At a subsequent meeting we then vote on whether to remove the condition. Formal review of an existing qualifying condition consumes significant portions of 3-4 meetings.

It is also important to understand that the presence of a condition being listed in statute does not imply that cannabis treats that condition. Because the structure of the law requires a qualifying condition and a qualifying symptom, cancer must appear as a condition in order to treat the associated symptom of nausea and vomiting. Being listed does not imply that cannabis cures cancer. There is no need to periodically review if cannabis cures cancer.

There is really no rationale for having frequent formal reviews of existing conditions. Scientific knowledge evolves slowly. Recommendations are rarely changed on the basis of only one or two new papers. Scientific decisions are made on the basis of the preponderance of data that evolves over time. You will note the FDA does not review indications for individual drugs on an biennial basis and clinical guidelines are reviewed every 3 to 5 years. But, things do change over time with increasing knowledge so it is important to review them periodically.

In 2023, TCMOB reviewed the qualifying condition of pediatric epilepsy. We are currently in the middle of reviewing the qualifying conditions of glaucoma and hepatitis C.

It is important to note that one can do a quick superficial review of a paper by just reading the abstract, but a proper review requires significant time to evaluate the study design for quality, the applicability of the study group, and the full results. Essentially, this bill asks us to do what

is called a "meta-analysis" or "systematic review" of the literature, which are major work products developed by academic researchers, and published occasionally, but not biennially, concerning conditions and treatments. This bill asks us to do more than academic researchers do. If we managed to do this we should all be promoted to full professors!

It is also important to note that HB 1278, signed into law in 2024 allows provider discretion in certifying adult patients aged 21 or older for the therapeutic use of cannabis. A provider can now certify for any debilitating or terminal medical condition or symptom for which, in their opinion, the benefits of therapeutic cannabis outweigh the risks for the patient. Therefore, the removal of a qualifying condition will have limited impact upon a patient being able to be certified as a provider can still certify for any condition at their discretion.

RSA 126-X:12, which created TCMOB, establishes reviewing qualifying conditions as only one of our many charges. During six years of active work TCMOB has:

1. Reviewed dozens of proposed legislative bills, including qualifying conditions
2. Reviewed some existing qualifying conditions
3. Reviewed the product testing program and product labeling requirements,
4. Developed best practice guidelines for providers
5. Developed education materials for patients regarding cannabis-drug interactions and regarding the specific risks of cannabis in pregnancy and breast-feeding and adolescence.
6. Developed educational materials for providers, including the topics of cannabis-drug interactions and the factors that should be discussed with a patient who is considering the use of therapeutic cannabis in order to develop informed consent.
7. Held a listening session to hear patient's concerns
8. Developed provider and patient surveys
9. Spent a full year developing educational slide decks for providers
10. Presented educational webinars for providers
11. Addressed many other issues affecting the therapeutic cannabis program

All this is done by a volunteer board comprised of providers who are busy in practice. The board is statutorily obligated to meet twice per year. We met monthly for the first few years due to the large amount of work to be done and currently we meet 4 times per year. I also give them hours of homework to do outside of our meetings in preparation. Adding an unnecessary biennial review of all conditions would add a great deal of work and be burdensome.

The documentation requirement in lines 10-11 is also burdensome. In addition to our formal reviews, we each personally review numerous papers regarding therapeutic cannabis every year, and it would be a busywork burden to keep lists just to add to an annual report.

In summary, TCMOB feels this bill is not necessary and unworkable. If the committee wishes to proceed with it, we would gladly work with the sponsor and committee to amend the bill, perhaps by altering the proposed language to something more workable, such as "The report shall include documentation of the board's reviews of currently approved and additional qualifying medical conditions, including the board's findings and recommendations, and citations to the medical and scientific evidence reviewed by the board" and striking "biennial".

Joseph Ebner

Because medical treatments change in response to new scientific discovery, a thorough annual review of the qualifying medical conditions for therapeutic cannabis by the TCMOB is imperative for the safety and wellbeing of the citizens of New Hampshire. As a physician, I strongly believe medical decisions should be based on a thorough and recent review of the medical literature. I support legislation to mandate the Therapeutic Cannabis Medical Oversight Board (TCMOB) annually review qualifying medical conditions.

SB 400 - AS AMENDED BY THE SENATE

01/29/2026 0221s
01/29/2026 0258s

2026 SESSION

26-2041
05/06

SENATE BILL ***400***

AN ACT relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.

SPONSORS: Sen. Gannon, Dist 23; Sen. Birdsell, Dist 19; Sen. Rochefort, Dist 1; Sen. Pearl, Dist 17; Rep. Barbour, Hills. 35; Rep. Creighton, Hills. 30; Rep. Vose, Rock. 5; Rep. L. Walsh, Rock. 15

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill requires the therapeutic cannabis medical oversight board to biennially review medical and scientific evidence relative to currently approved and additional qualifying conditions. The bill also requires the board's annual report to include citations to such medical and scientific evidence.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 400 - AS AMENDED BY THE SENATE

01/29/2026 0221s
01/29/2026 0258s

26-2041
05/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to duties and reporting requirements of the therapeutic cannabis medical oversight board.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Therapeutic Cannabis Medical Oversight Board; Duties; Annual Review of Medical and Scientific Evidence. Amend RSA 126-X:12, IV(a) to read as follows:

(a) ***Biennially*** reviewing medical and scientific evidence pertaining to currently approved and additional qualifying conditions.

2 Therapeutic Cannabis Medical Oversight Board; Reporting Requirement. Amend RSA 126-X:12, VI to read as follows:

VI. On or before January 1 of each year, the board shall make a 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, and the board of nursing. ***The report shall include citations to the medical and scientific evidence reviewed by the board, pertaining to currently approved and additional qualifying conditions.***

3 Effective Date. This act shall take effect 60 days after its passage.