

HOUSE BILL REPORT

SSB 5176

As Reported by House Committee On:
Health Care

Title: An act relating to rules to implement the medical marijuana law.

Brief Description: Authorizing adoption of rules to implement medical marijuana law.

Sponsors: By Senate Committee on Health & Long-Term Care (originally sponsored by Senator Kohl-Welles).

Brief History:

Committee Activity:

Health Care: 3/20/01, 3/23/01 [DP].

Brief Summary of Substitute Bill

· For the purposes of the 1998 Medical Marijuana Initiative, the Department of Health is authorized to define by rule the possession of no more marijuana than is necessary for a qualified patient's personal, medical use, not exceeding the amount necessary for a 60-day supply.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 10 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Ballasiotes, Darneille, Edmonds, Edwards, Marine and Ruderman.

Minority Report: Do not pass. Signed by 3 members: Representatives Alexander, McMorris and Pennington.

Staff: John Welsh (786-7133).

Background:

In November 1998, voters approved Initiative 692 authorizing the use of marijuana for medical purposes, subject to certain conditions. Physicians, primary care givers, and patients with a qualifying diagnosis who comply with the requirements of the law are

exempt from criminal sanctions for violating the state Controlled Substances Act.

Physicians are authorized to advise patients suffering from a terminal or debilitating illness about the risks and benefits of marijuana in their medical treatment. If the physician determines that the benefits outweigh the risks, the physician may state this in the patient's medical record, and provide a copy of the documentation to the patient.

A patient may possess no more than a 60-day supply of marijuana solely for personal use for the indicated medical purpose. The law does not provide a state agency with interpretive rule-making authority to implement provisions of the law.

Summary of Bill:

The Department of Health is authorized to determine by rule the amount of marijuana necessary for the patient's personal, medical use, not exceeding a 60-day supply. The department shall consider any guidelines established by the United States Department of Health and Human Services in its administration of the federal investigational new drug program for medical marijuana.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is a need to clarify the maximum amount of marijuana legally permissible, which patients and law enforcement need to know. The Department of Health can do this by rule after consulting with interested parties.

Testimony Against: None.

Testified: Senator Kohl-Wells, prime sponsor; Ron Weaver, Department of Health; Priscilla Lisicich, Governor's Council on Substance Abuse; JoAnna McKee and William Teskey, GreenCross Patient Coop; Martin Martinez; and Jerry Sheehan, ACLU-Washington.