
Health Care & Wellness Committee

HB 2554

Brief Description: Establishing compassionate care renewals for medical marijuana qualifying patients.

Sponsors: Representatives Blake, Walsh, Tharinger, Chapman and Kloba.

Brief Summary of Bill

- Establishes a compassionate care exemption if it would be a severe hardship due to physical or emotional conditions for a qualifying patient to appear in person at a marijuana retailer and have a picture taken to renew registration in the Medical Marijuana Authorization Database and a recognition card.

Hearing Date: 1/30/18

Staff: Chris Blake (786-7392).

Background:

Marijuana is classified as a Schedule I substance under the Controlled Substances Act. Under federal law, the manufacture, possession, or distribution of Schedule I substances is a criminal offense.

Since 1998 Washington law has allowed qualifying patients to use limited amounts of marijuana for medicinal purposes. A qualifying patient is a person who is the patient of a health care professional who has diagnosed the patient as having a terminal or debilitating medical condition. A health care professional may issue an authorization to a patient to use marijuana for medical purposes if the health care professional has completed an in-person examination of the patient, documented the patient's terminal or debilitating medical condition, advised the patient about the risks and benefits of using marijuana for medical purposes, and advised the patient that he or she may benefit from the medical use of marijuana. An authorization expires after one year for adult qualifying patients and after six months for qualifying patients under 18 years old.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

An authorization from a health care provider allows a qualifying patient or his or her designated provider to possess defined amounts of useable marijuana and plants. Qualifying patients and designated providers may register in the Medical Marijuana Authorization Database (Authorization Database) and receive a recognition card to allow them to possess additional quantities of marijuana and plants, as well as receive arrest protection, and an exemption from sales tax on marijuana purchases.

To be entered in the Authorization Database and receive a recognition card, a qualifying patient or designated provider must bring the authorization from the health care professional to a marijuana retailer with a medical marijuana endorsement. At that time, the retailer enters the person into the Authorization Database and provide the qualifying patient or designated provider with a recognition card that includes a picture taken at the time of registration. Registration in the Authorization Database and the recognition card are valid for the same length of time as the authorization from the health care professional and may be renewed upon reexamination by a health care professional and the issuance of a new authorization.

Summary of Bill:

A health care professional may indicate on a qualifying patient's authorization for the medical use of marijuana that the person qualifies for a compassionate care renewal. A compassionate care renewal allows a designated provider to renew a qualifying patient's registration in the Medical Marijuana Authorization Database (Authorization Database) and recognition card without the need for the qualifying patient to be physically present at a marijuana retailer or to have a photograph taken. The compassionate care option applies if a health care professional determines that requiring the qualifying patient to renew a registration in person would likely result in severe hardship to the qualifying patient because of a physical or emotional condition.

The policy related to compassionate care renewals begins immediately, however the Department of Health may adopt rules to implement compassionate care renewals and streamline administrative functions.

Expired provisions are eliminated related to: (1) health care professionals reporting the number of authorizations issued for the medical use of marijuana; and (2) the Department of Health reporting on the cost of the Authorization Database.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.