

HOUSE BILL REPORT

HB 2554

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to establishing compassionate care renewals for medical marijuana qualifying patients.

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

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

Brief History:

Committee Activity:

Health Care & Wellness: 1/30/18, 1/31/18 [DPS].

Brief Summary of Substitute Bill

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

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Slatter, Stonier and Tharinger.

Minority Report: Do not pass. Signed by 1 member: Representative DeBolt.

Minority Report: Without recommendation. Signed by 1 member: Representative Harris.

Staff: Chris Blake (786-7392).

Background:

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.

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.

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 provides 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 Substitute 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.

Substitute Bill Compared to Original Bill:

The substitute bill corrects references to "authorization cards" by changing them to "recognition cards."

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) There are children who are registered medical marijuana patients with conditions that makes it a struggle to go through the Medical Marijuana Authorization Database (Authorization Database) renewal process which allows people to purchase and grow additional quantities of marijuana as medication. Parents of children with conditions, such as Batten disease, would like to be in the Authorization Database, but the burden of transporting these children can lead to emotional and physical distress. The bill should cover both issuances and renewals which would help parents and providers gain access to the Authorization Database.

(Opposed) None.

Persons Testifying: Representative Blake, prime sponsor; and John Barclay.

Persons Signed In To Testify But Not Testifying: None.