

# Medical Marijuana Public Workshops



The Washington State Department of Health has filed notice it will write new rules for the use of marijuana for medical purposes. Following **four public work sessions**, the department will file draft rules and hold formal hearings. It will then adjust the rules based on the input and file final rules.

## **Seattle Workshop**

September 10, 2007, 1:00-5:00pm  
Central Public Library,  
Microsoft Auditorium  
1000 Fourth Avenue

## **Vancouver Workshop**

September 17, 2007, 3:00-7:00pm  
Water Resources Education Center,  
Community Room  
4600 South East Columbia Way

## **Spokane Workshop**

September 11, 2007, 11:00am-3:00pm  
Spokane Community College,  
Lair Student Center,  
Littlefoot Room A and B  
1810 North Greene Street

## **Yakima Workshop**

September 19, 2007, 5:00-9:00pm  
Selah Civic Center  
216 South 1st Street, Selah

Comments may also be submitted in writing to [MedicalMarijuana@doh.wa.gov](mailto:MedicalMarijuana@doh.wa.gov). A medical marijuana Web site ([www.doh.wa.gov/medicalmarijuana](http://www.doh.wa.gov/medicalmarijuana)) is available online to keep people informed on the rules process, the schedule for the public hearings, and other issues related to the medical use of marijuana. It includes the option to sign up for regular e-mail updates on the rulemaking effort.

## Medical Marijuana Frequently Asked Questions

**Q. What does Washington's medical marijuana law do?**

A. Washington's medical marijuana law (Chapter 69.51A RCW) was enacted by voters in 1998 as an initiative. It allows doctors to legally recommend medical marijuana to patients for some medical conditions. Under state law, patients may possess a 60-day supply of medical marijuana if it is based on a doctor's written recommendation. However, a 60-day supply has not yet been defined in law or rule.

**Q. Why is the law being changed?**

A. Lawmakers made changes to medical marijuana laws through Engrossed Substitute Senate Bill 6032. Their goal was to make clearer that patients should not be prevented from lawfully using medical marijuana and that doctors should use their best judgment in recommending it to their patients. The bill also described how designated providers can aid patients and gave better direction to law enforcement about medical marijuana use.

**Q. What are the key changes to Washington's medical marijuana law?**

- A. Lawmakers made the following major changes:
1. "Primary caregivers" were renamed "designated providers" and were defined as people:
    - Over the age of 18.
    - Designated in writing by a patient as his or her provider.
    - Prohibited from consuming marijuana obtained for the medical use of the patient.
  2. The Medical Quality Assurance Commission (MQAC) added several conditions that lawmakers rolled into the law, including Crohn's disease, Hepatitis C, and diseases that include nausea and vomiting, like anorexia, when standard care is not effective.
  3. MQAC will now consult with the Board of Osteopathic Medicine and Surgery to decide if new conditions should be approved for the use of medical marijuana.
  4. The language in the written documentation that physicians issue to patients was changed to

## (Medical Marijuana Frequently Asked Questions, Cont'd)

state that the patient “may benefit from the medical use of marijuana.”

5. If a local or state law enforcement officer stops a person who lawfully possesses medical marijuana, the officer can document the amount and take a sample for testing, but he or she cannot seize the marijuana. In this situation, the officer cannot be held civilly liable for not seizing the marijuana.

### **Q. Specifically, what did lawmakers ask the Department of Health to do?**

- A. The Department received two assignments from lawmakers:
  1. Write rules to better define what is a 60-day supply of medical marijuana.
  2. Report to the legislature by July 1, 2008 on different ways patients could gain access to adequate and safe sources of medical marijuana. The report is to be based on research, expert advice and public input, and the best practices of other states.

### **Q. How will the 60-day supply rules be made?**

- A. Rules are written requirements called Washington Administrative Codes (WACs). To adopt a rule an agency must have legislative authority and must follow the state law called the Administrative Procedures Act (Chapter 34.05 RCW). There are three steps in the process:
  1. The first is the Preproposal Statement of Inquiry (or CR-101). This is the notice that an agency intends to make a rule. There is no draft language at this point. After paperwork is filed with the Code Reviser’s Office, one or more stakeholder meetings are held to gather stakeholder input.
  2. The second is the Notice of Proposed Rulemaking (or CR-102). This is when official DRAFT language is filed with the Code Reviser’s Office. Formal rule hearings are conducted on the proposed rules.
  3. The third is the Rulemaking Order (or CR-103), where a rule is adopted. Rule language is finalized and filed with the Code Reviser’s Office.

### **Q. Who are the interested parties on the rules and study?**

- A. The Department wants to receive input from everyone who is interested in the study and the rules. This includes patients using medical marijuana, advocacy groups, doctors who

recommend medical marijuana, law enforcement agencies, and other state agencies.

### **Q. When are the rules and the study to be completed?**

- A. Lawmakers designated that both must be completed by July 1, 2008.

### **Q. How can we access the study, once it is completed?**

- A. Once the final report has been sent to the legislature, we will post it on our website. We will send an e-mail to the interested parties list with directions on how they can view the study.

### **Q. Isn't the use of medical marijuana still illegal at the federal level?**

- A. Yes. While the recent law changes add protections for patients and clarification for providers and state & local law enforcement, it does not change the fact that the federal government still considers marijuana an illegal drug for any purpose. This creates challenges for all of us – patients, doctors, law enforcement, and state agencies.

### **Q. How can I comment on the rules and study?**

- A. Here’s how you can provide input:
  - Come to one of our four public workshops to be held around the state in mid-September (watch the website for more details).
  - E-mail us at [MedicalMarijuana@doh.wa.gov](mailto:MedicalMarijuana@doh.wa.gov)
  - Post your comment. Note: attachments cannot be posted to this website. If you would like to send an attachment, please email us at the email address above.
  - Send your comments to:
    - Department of Health
    - PO Box 47866
    - Olympia, WA 98504-7866
    - Fax your comments to (360) 236-4768

### **Q. How can I keep informed about the rules and the study?**

- A. The Department wants to make it easy for people to get information on the rules and the study. The web site will be updated regularly. In addition, we will send regular e-mails to the interested parties list.

### **Q. How can I get onto the interested parties list?**

- A. Getting on the interested parties list is easy. Simply send your contact information to [MedicalMarijuana@doh.wa.gov](mailto:MedicalMarijuana@doh.wa.gov).