

FINAL BILL REPORT

SSB 5798

C 284 L 10
Synopsis as Enacted

Brief Description: Concerning medical marijuana.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kohl-Welles, McCaslin, Keiser, Pflug and Kline).

Senate Committee on Health & Long-Term Care
House Committee on Health Care & Wellness

Background: Under Initiative Measure No. 692, the citizens of the state of Washington approved in November 1998 the Washington State Medical Use of Marijuana Act (act), intended to allow for the limited medical use of marijuana by patients with terminal or debilitating illnesses.

ESSB 6032, enacted in 2007, provided that qualifying patients and any designated provider who assists them in the medical use of marijuana will be deemed to have established an affirmative defense if they comply with the requirements under this act.

Current law requires that a qualifying patient have valid documentation from a physician that states that, in the physician's professional opinion, the patient may benefit from the medical use of marijuana. A physician who advises a qualifying patient regarding the medical use of marijuana cannot be penalized in any manner.

The Department of Health (DOH) has adopted rules defining the quantity of marijuana that could reasonably be presumed to be a 60-day supply. DOH has made recommendations to the Legislature addressing access to an adequate, safe, consistent, and secure source of medical marijuana for qualifying patients. This report is available from the DOH.

Summary: Health care professionals are defined for purposes of this act as physicians, osteopathic physicians, physician assistants and osteopathic physician assistants, naturopaths, and advanced registered nurse practitioners.

Health care professionals provide the valid documentation which authorizes the medical use of marijuana for qualified patients who benefit from its use. Valid documentation for medical marijuana use must be a signed and dated statement by the health care professional on tamper resistant paper. Tamper resistant paper is defined. Copies of a signed statement by a qualifying patient's health care professional or medical records are still valid

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documentation if obtained prior to the effective date of this act. Health care professionals who advise patients regarding the medical use of marijuana cannot be penalized for doing so.

Votes on Final Passage:

Senate	37	11	
House	59	39	(House amended)
House	58	40	(House reconsidered)
			(Senate refused to concur)
House	58	39	(House receded/amended)
Senate	34	13	(Senate concurred)

Effective: June 10, 2010