
SUBSTITUTE HOUSE BILL 1630

State of Washington

66th Legislature

2019 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives DeBolt, Macri, Cody, Harris, Tharinger, Riccelli, Doglio, Kloba, Jenkins, and Robinson)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the practice of naturopathy; amending RCW
2 18.36A.040 and 69.41.030; reenacting and amending RCW 18.36A.020 and
3 69.50.101; adding new sections to chapter 18.36A RCW; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Washington has a shortage of primary care services that poses
8 a significant risk to public health resulting in increased human
9 suffering and increased costs.

10 (2) Naturopaths, licensed under chapter 18.36A RCW since 1987 and
11 chapter 18.36 RCW since 1919, are recognized as primary care
12 providers in both statute and rule, and have served in this role for
13 many years through private health plans, in apple health (medicaid),
14 and with the Indian health service systems.

15 (3) In some areas, naturopaths are the only available health care
16 providers. As such, they need authority for all appropriate primary
17 care services consistent with their education and patient
18 populations. This act supports better patient care, prevents
19 duplication of services, reduces emergency department visits, and is
20 more cost-effective for patients, health plans, and state agencies.

1 (4) The legislature first granted naturopaths limited
2 prescriptive authority in 1987 and expanded this in 2005 to include
3 all legend drugs and limited controlled substances in Schedules III
4 through V of the uniform controlled substances act. This act is
5 consistent with the findings of the 2014 sunrise review in which the
6 department of health agreed with the health care authority arguments
7 in support of a limited expansion of naturopathic prescriptive
8 authority for controlled substances.

9 (5) This act recognizes the board of naturopathy (established by
10 the legislature in 2011), and its role in rule making for
11 determination of specific clinical parameters and educational
12 requirements in the same manner as other boards and commissions with
13 primary care authority.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.36A
15 RCW to read as follows:

16 (1) Subject to the requirements of this section, a naturopath may
17 prescribe and administer legend and nonlegend drugs and controlled
18 substances limited to codeine and testosterone products that are
19 contained in Schedules III through V of the uniform controlled
20 substances act, chapter 69.50 RCW, as necessary in the practice of
21 naturopathy.

22 (2) In addition to the prescriptive authority in subsection (1)
23 of this section, a naturopath may prescribe and administer all
24 controlled substances contained in Schedules III through V of the
25 uniform controlled substances act, chapter 69.50 RCW, if the
26 naturopath has:

27 (a) Met the minimum number of hours of education and training
28 established jointly by the board and the medical quality assurance
29 commission;

30 (b) Filed with the board a joint practice agreement with a
31 physician licensed under chapter 18.71 RCW or an osteopathic
32 physician and surgeon licensed under chapter 18.57 RCW that contains:

33 (i) The names, license numbers, and practice addresses of both
34 the naturopath and the physician or osteopathic physician and
35 surgeon;

36 (ii) A written agreement that describes how collaboration will
37 occur between practitioners; and

38 (iii) Any other information required by the board; and

1 (c) Registered with the department to access the prescription
2 monitoring program established in chapter 70.225 RCW.

3 (3) By July 1, 2020, the board shall adopt rules establishing
4 requirements for prescribing opioid drugs. The rules may contain
5 exemptions based on education, training, amount of opioids
6 prescribed, patient panel, and practice environment. In developing
7 the rules, the board must conform its rules, to the maximum extent
8 practicable, to those of other prescribing professions adopted under
9 the provisions of chapter 297, Laws of 2017. The board shall consider
10 the agency medical directors' group and centers for disease control
11 guidelines and may consult with the department, the University of
12 Washington, and the largest professional association of naturopaths
13 in the state.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.36A
15 RCW to read as follows:

16 A naturopath may sign and attest to any certificates, cards,
17 forms, or other required documentation that a physician may sign, so
18 long as it is within the naturopath's scope of practice. This
19 includes, but is not limited to, death certificates, guardianships,
20 powers of attorney, disability determinations, and similar legal
21 documents.

22 **Sec. 4.** RCW 18.36A.020 and 2011 c 41 s 3 and 2011 c 40 s 1 are
23 each reenacted and amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Board" means the board of naturopathy created in RCW
27 18.36A.150.

28 (2) "Common diagnostic procedures" means the use of venipuncture
29 consistent with the practice of naturopathic medicine, commonly used
30 diagnostic modalities consistent with naturopathic practice, health
31 history taking, physical examination, radiography, examination of
32 body orifices excluding endoscopy and colonoscopy, laboratory
33 medicine, and obtaining samples of human tissues, but excluding
34 incision or excision beyond that which is authorized as a minor
35 office procedure.

36 (3) "Department" means the department of health.

37 (4) "Educational program" means an accredited program preparing
38 persons for the practice of naturopathic medicine.

1 (5) "Homeopathy" means a system of medicine based on the use of
2 infinitesimal doses of medicines capable of producing symptoms
3 similar to those of the disease treated, as listed in the homeopathic
4 pharmacopeia of the United States.

5 (6) "Hygiene and immunization" means the use of such preventative
6 techniques as personal hygiene, asepsis, public health, and
7 immunizations, to the extent allowed by rule.

8 (7) "Manual manipulation" or "mechanotherapy" means manipulation
9 of a part or the whole of the body by hand or by mechanical means.

10 (8) "Minor office procedures" means primary care ((and)) services
11 and procedures that pose minimal risk to the patient and can be
12 safely performed in an office setting; procedures incident thereto of
13 superficial lacerations, lesions, ~~((and abrasions))~~ minor injuries,
14 and the removal of foreign bodies located in superficial structures,
15 not to include the eye; and the use of antiseptics and topical or
16 local anesthetics in connection therewith. "Minor office procedures"
17 also includes intramuscular, intravenous, subcutaneous, ~~((and))~~
18 intradermal ~~((injections)),~~ topical, and other routes of
19 administration of substances consistent with the practice of
20 naturopathic medicine and in accordance with rules established by the
21 ~~((secretary))~~ board.

22 (9) "Naturopath" means an individual licensed under this chapter.

23 (10) "Naturopathic medicines" means vitamins; minerals; botanical
24 medicines; homeopathic medicines; hormones; and ~~((those legend drugs~~
25 ~~and controlled))~~ other nutrients, compounds, and natural substances
26 consistent with naturopathic medical practice ~~((in accordance with~~
27 ~~rules established by the board. Controlled substances are limited to~~
28 ~~codeine and testosterone products that are contained in Schedules~~
29 ~~III, IV, and V in chapter 69.50 RCW))~~).

30 (11) "Nutrition and food science" means the prevention and
31 treatment of disease or other human conditions through the use of
32 foods, water, herbs, roots, bark, or natural food elements.

33 (12) "Physical modalities" means use of physical, chemical,
34 electrical, and other modalities ~~((that do not exceed those used as~~
35 ~~of July 22, 2011, in minor office procedures or common diagnostic~~
36 ~~procedures,))~~ including, but not limited to, heat, cold, air, light,
37 water in any of its forms, sound, massage, durable medical equipment,
38 and therapeutic exercise.

1 (13) "Radiography" means the ordering, but not the
2 interpretation, of radiographic diagnostic and other imaging studies
3 and the taking and interpretation of standard radiographs.

4 (14) "Secretary" means the secretary of health or the secretary's
5 designee.

6 (15) "Suggestion" means techniques including but not limited to
7 counseling, biofeedback, and hypnosis.

8 **Sec. 5.** RCW 18.36A.040 and 2011 c 40 s 2 are each amended to
9 read as follows:

10 Naturopathic medicine is the practice by naturopaths of the art
11 and science of the diagnosis, prevention, and treatment of disorders
12 of the body by stimulation or support, or both, of the natural
13 processes of the human body. A naturopath is responsible and
14 accountable to the consumer for the quality of naturopathic care
15 rendered and may only provide services that he or she is competent to
16 perform based on his or her education, training, and experience.

17 The practice of naturopathic medicine includes manual
18 manipulation (mechanotherapy), the prescription, administration,
19 dispensing, and use, except for the treatment of malignancies, of
20 nutrition and food science, physical modalities, minor office
21 procedures, homeopathy, naturopathic medicines, prescription
22 medicines as authorized in section 2 of this act, hygiene and
23 immunization, contraceptive devices, common diagnostic procedures,
24 and suggestion; however, nothing in this chapter shall prohibit
25 consultation and treatment of a patient in concert with a
26 practitioner licensed under chapter 18.57 or 18.71 RCW. No person
27 licensed under this chapter may employ the term "chiropractic" to
28 describe any services provided by a naturopath under this chapter.

29 **Sec. 6.** RCW 69.41.030 and 2018 c 196 s 22 are each amended to
30 read as follows:

31 (1) It shall be unlawful for any person to sell, deliver, or
32 possess any legend drug except upon the order or prescription of a
33 physician under chapter 18.71 RCW, an osteopathic physician and
34 surgeon under chapter 18.57 RCW, an optometrist licensed under
35 chapter 18.53 RCW who is certified by the optometry board under RCW
36 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician
37 and surgeon under chapter 18.22 RCW, a naturopath under chapter
38 18.36A RCW, a veterinarian under chapter 18.92 RCW, a commissioned

1 medical or dental officer in the United States armed forces or public
2 health service in the discharge of his or her official duties, a duly
3 licensed physician or dentist employed by the veterans administration
4 in the discharge of his or her official duties, a registered nurse or
5 advanced registered nurse practitioner under chapter 18.79 RCW when
6 authorized by the nursing care quality assurance commission, a
7 pharmacist licensed under chapter 18.64 RCW to the extent permitted
8 by drug therapy guidelines or protocols established under RCW
9 18.64.011 and authorized by the commission and approved by a
10 practitioner authorized to prescribe drugs, an osteopathic physician
11 assistant under chapter 18.57A RCW when authorized by the board of
12 osteopathic medicine and surgery, a physician assistant under chapter
13 18.71A RCW when authorized by the medical quality assurance
14 commission, or any of the following professionals in any province of
15 Canada that shares a common border with the state of Washington or in
16 any state of the United States: A physician licensed to practice
17 medicine and surgery or a physician licensed to practice osteopathic
18 medicine and surgery, a naturopath licensed to practice naturopathic
19 medicine and authorized to prescribe legend drugs, a dentist licensed
20 to practice dentistry, a podiatric physician and surgeon licensed to
21 practice podiatric medicine and surgery, a licensed advanced
22 registered nurse practitioner, a licensed physician assistant, a
23 licensed osteopathic physician assistant, or a veterinarian licensed
24 to practice veterinary medicine: PROVIDED, HOWEVER, That the above
25 provisions shall not apply to sale, delivery, or possession by drug
26 wholesalers or drug manufacturers, or their agents or employees, or
27 to any practitioner acting within the scope of his or her license, or
28 to a common or contract carrier or warehouse operator, or any
29 employee thereof, whose possession of any legend drug is in the usual
30 course of business or employment: PROVIDED FURTHER, That nothing in
31 this chapter or chapter 18.64 RCW shall prevent a family planning
32 clinic that is under contract with the health care authority from
33 selling, delivering, possessing, and dispensing commercially
34 prepackaged oral contraceptives prescribed by authorized, licensed
35 health care practitioners: PROVIDED FURTHER, That nothing in this
36 chapter prohibits possession or delivery of legend drugs by an
37 authorized collector or other person participating in the operation
38 of a drug take-back program authorized in chapter 69.48 RCW.

1 (2) (a) A violation of this section involving the sale, delivery,
2 or possession with intent to sell or deliver is a class B felony
3 punishable according to chapter 9A.20 RCW.

4 (b) A violation of this section involving possession is a
5 misdemeanor.

6 **Sec. 7.** RCW 69.50.101 and 2018 c 132 s 2 are each reenacted and
7 amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (a) "Administer" means to apply a controlled substance, whether
11 by injection, inhalation, ingestion, or any other means, directly to
12 the body of a patient or research subject by:

13 (1) a practitioner authorized to prescribe (or, by the
14 practitioner's authorized agent); or

15 (2) the patient or research subject at the direction and in the
16 presence of the practitioner.

17 (b) "Agent" means an authorized person who acts on behalf of or
18 at the direction of a manufacturer, distributor, or dispenser. It
19 does not include a common or contract carrier, public
20 warehouseperson, or employee of the carrier or warehouseperson.

21 (c) "CBD concentration" has the meaning provided in RCW
22 69.51A.010.

23 (d) "CBD product" means any product containing or consisting of
24 cannabidiol.

25 (e) "Commission" means the pharmacy quality assurance commission.

26 (f) "Controlled substance" means a drug, substance, or immediate
27 precursor included in Schedules I through V as set forth in federal
28 or state laws, or federal or commission rules, but does not include
29 industrial hemp as defined in RCW 15.120.010.

30 (g) (1) "Controlled substance analog" means a substance the
31 chemical structure of which is substantially similar to the chemical
32 structure of a controlled substance in Schedule I or II and:

33 (i) that has a stimulant, depressant, or hallucinogenic effect on
34 the central nervous system substantially similar to the stimulant,
35 depressant, or hallucinogenic effect on the central nervous system of
36 a controlled substance included in Schedule I or II; or

37 (ii) with respect to a particular individual, that the individual
38 represents or intends to have a stimulant, depressant, or
39 hallucinogenic effect on the central nervous system substantially

1 similar to the stimulant, depressant, or hallucinogenic effect on the
2 central nervous system of a controlled substance included in Schedule
3 I or II.

4 (2) The term does not include:

5 (i) a controlled substance;

6 (ii) a substance for which there is an approved new drug
7 application;

8 (iii) a substance with respect to which an exemption is in effect
9 for investigational use by a particular person under Section 505 of
10 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
11 chapter 69.77 RCW to the extent conduct with respect to the substance
12 is pursuant to the exemption; or

13 (iv) any substance to the extent not intended for human
14 consumption before an exemption takes effect with respect to the
15 substance.

16 (h) "Deliver" or "delivery" means the actual or constructive
17 transfer from one person to another of a substance, whether or not
18 there is an agency relationship.

19 (i) "Department" means the department of health.

20 (j) "Designated provider" has the meaning provided in RCW
21 69.51A.010.

22 (k) "Dispense" means the interpretation of a prescription or
23 order for a controlled substance and, pursuant to that prescription
24 or order, the proper selection, measuring, compounding, labeling, or
25 packaging necessary to prepare that prescription or order for
26 delivery.

27 (l) "Dispenser" means a practitioner who dispenses.

28 (m) "Distribute" means to deliver other than by administering or
29 dispensing a controlled substance.

30 (n) "Distributor" means a person who distributes.

31 (o) "Drug" means (1) a controlled substance recognized as a drug
32 in the official United States pharmacopoeia/national formulary or the
33 official homeopathic pharmacopoeia of the United States, or any
34 supplement to them; (2) controlled substances intended for use in the
35 diagnosis, cure, mitigation, treatment, or prevention of disease in
36 individuals or animals; (3) controlled substances (other than food)
37 intended to affect the structure or any function of the body of
38 individuals or animals; and (4) controlled substances intended for
39 use as a component of any article specified in (1), (2), or (3) of

1 this subsection. The term does not include devices or their
2 components, parts, or accessories.

3 (p) "Drug enforcement administration" means the drug enforcement
4 administration in the United States Department of Justice, or its
5 successor agency.

6 (q) "Electronic communication of prescription information" means
7 the transmission of a prescription or refill authorization for a drug
8 of a practitioner using computer systems. The term does not include a
9 prescription or refill authorization verbally transmitted by
10 telephone nor a facsimile manually signed by the practitioner.

11 (r) "Immature plant or clone" means a plant or clone that has no
12 flowers, is less than twelve inches in height, and is less than
13 twelve inches in diameter.

14 (s) "Immediate precursor" means a substance:

15 (1) that the commission has found to be and by rule designates as
16 being the principal compound commonly used, or produced primarily for
17 use, in the manufacture of a controlled substance;

18 (2) that is an immediate chemical intermediary used or likely to
19 be used in the manufacture of a controlled substance; and

20 (3) the control of which is necessary to prevent, curtail, or
21 limit the manufacture of the controlled substance.

22 (t) "Isomer" means an optical isomer, but in subsection (ff)(5)
23 of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4),
24 the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and
25 (42), and 69.50.210(c) the term includes any positional isomer; and
26 in RCW 69.50.204(a) (35), 69.50.204(c), and 69.50.208(a) the term
27 includes any positional or geometric isomer.

28 (u) "Lot" means a definite quantity of marijuana, marijuana
29 concentrates, useable marijuana, or marijuana-infused product
30 identified by a lot number, every portion or package of which is
31 uniform within recognized tolerances for the factors that appear in
32 the labeling.

33 (v) "Lot number" must identify the licensee by business or trade
34 name and Washington state unified business identifier number, and the
35 date of harvest or processing for each lot of marijuana, marijuana
36 concentrates, useable marijuana, or marijuana-infused product.

37 (w) "Manufacture" means the production, preparation, propagation,
38 compounding, conversion, or processing of a controlled substance,
39 either directly or indirectly or by extraction from substances of
40 natural origin, or independently by means of chemical synthesis, or

1 by a combination of extraction and chemical synthesis, and includes
2 any packaging or repackaging of the substance or labeling or
3 relabeling of its container. The term does not include the
4 preparation, compounding, packaging, repackaging, labeling, or
5 relabeling of a controlled substance:

6 (1) by a practitioner as an incident to the practitioner's
7 administering or dispensing of a controlled substance in the course
8 of the practitioner's professional practice; or

9 (2) by a practitioner, or by the practitioner's authorized agent
10 under the practitioner's supervision, for the purpose of, or as an
11 incident to, research, teaching, or chemical analysis and not for
12 sale.

13 (x) "Marijuana" or "marihuana" means all parts of the plant
14 *Cannabis*, whether growing or not, with a THC concentration greater
15 than 0.3 percent on a dry weight basis; the seeds thereof; the resin
16 extracted from any part of the plant; and every compound,
17 manufacture, salt, derivative, mixture, or preparation of the plant,
18 its seeds or resin. The term does not include:

19 (1) The mature stalks of the plant, fiber produced from the
20 stalks, oil or cake made from the seeds of the plant, any other
21 compound, manufacture, salt, derivative, mixture, or preparation of
22 the mature stalks (except the resin extracted therefrom), fiber, oil,
23 or cake, or the sterilized seed of the plant which is incapable of
24 germination; or

25 (2) Industrial hemp as defined in RCW 15.120.010.

26 (y) "Marijuana concentrates" means products consisting wholly or
27 in part of the resin extracted from any part of the plant *Cannabis*
28 and having a THC concentration greater than ten percent.

29 (z) "Marijuana processor" means a person licensed by the state
30 liquor and cannabis board to process marijuana into marijuana
31 concentrates, useable marijuana, and marijuana-infused products,
32 package and label marijuana concentrates, useable marijuana, and
33 marijuana-infused products for sale in retail outlets, and sell
34 marijuana concentrates, useable marijuana, and marijuana-infused
35 products at wholesale to marijuana retailers.

36 (aa) "Marijuana producer" means a person licensed by the state
37 liquor and cannabis board to produce and sell marijuana at wholesale
38 to marijuana processors and other marijuana producers.

1 (bb) "Marijuana products" means useable marijuana, marijuana
2 concentrates, and marijuana-infused products as defined in this
3 section.

4 (cc) "Marijuana researcher" means a person licensed by the state
5 liquor and cannabis board to produce, process, and possess marijuana
6 for the purposes of conducting research on marijuana and marijuana-
7 derived drug products.

8 (dd) "Marijuana retailer" means a person licensed by the state
9 liquor and cannabis board to sell marijuana concentrates, useable
10 marijuana, and marijuana-infused products in a retail outlet.

11 (ee) "Marijuana-infused products" means products that contain
12 marijuana or marijuana extracts, are intended for human use, are
13 derived from marijuana as defined in subsection (x) of this section,
14 and have a THC concentration no greater than ten percent. The term
15 "marijuana-infused products" does not include either useable
16 marijuana or marijuana concentrates.

17 (ff) "Narcotic drug" means any of the following, whether produced
18 directly or indirectly by extraction from substances of vegetable
19 origin, or independently by means of chemical synthesis, or by a
20 combination of extraction and chemical synthesis:

21 (1) Opium, opium derivative, and any derivative of opium or opium
22 derivative, including their salts, isomers, and salts of isomers,
23 whenever the existence of the salts, isomers, and salts of isomers is
24 possible within the specific chemical designation. The term does not
25 include the isoquinoline alkaloids of opium.

26 (2) Synthetic opiate and any derivative of synthetic opiate,
27 including their isomers, esters, ethers, salts, and salts of isomers,
28 esters, and ethers, whenever the existence of the isomers, esters,
29 ethers, and salts is possible within the specific chemical
30 designation.

31 (3) Poppy straw and concentrate of poppy straw.

32 (4) Coca leaves, except coca leaves and extracts of coca leaves
33 from which cocaine, ecgonine, and derivatives or ecgonine or their
34 salts have been removed.

35 (5) Cocaine, or any salt, isomer, or salt of isomer thereof.

36 (6) Cocaine base.

37 (7) Ecgonine, or any derivative, salt, isomer, or salt of isomer
38 thereof.

39 (8) Any compound, mixture, or preparation containing any quantity
40 of any substance referred to in subparagraphs (1) through (7).

1 (gg) "Opiate" means any substance having an addiction-forming or
2 addiction-sustaining liability similar to morphine or being capable
3 of conversion into a drug having addiction-forming or addiction-
4 sustaining liability. The term includes opium, substances derived
5 from opium (opium derivatives), and synthetic opiates. The term does
6 not include, unless specifically designated as controlled under RCW
7 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan
8 and its salts (dextromethorphan). The term includes the racemic and
9 levorotatory forms of dextromethorphan.

10 (hh) "Opium poppy" means the plant of the species *Papaver*
11 *somniferum* L., except its seeds.

12 (ii) "Person" means individual, corporation, business trust,
13 estate, trust, partnership, association, joint venture, government,
14 governmental subdivision or agency, or any other legal or commercial
15 entity.

16 (jj) "Plant" has the meaning provided in RCW 69.51A.010.

17 (kk) "Poppy straw" means all parts, except the seeds, of the
18 opium poppy, after mowing.

19 (ll) "Practitioner" means:

20 (1) A physician under chapter 18.71 RCW; a physician assistant
21 under chapter 18.71A RCW; an osteopathic physician and surgeon under
22 chapter 18.57 RCW; an osteopathic physician assistant under chapter
23 18.57A RCW who is licensed under RCW 18.57A.020 subject to any
24 limitations in RCW 18.57A.040; an optometrist licensed under chapter
25 18.53 RCW who is certified by the optometry board under RCW 18.53.010
26 subject to any limitations in RCW 18.53.010; a dentist under chapter
27 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW;
28 a veterinarian under chapter 18.92 RCW; a registered nurse, advanced
29 registered nurse practitioner, or licensed practical nurse under
30 chapter 18.79 RCW; a (~~naturopathic physician~~) naturopath under
31 chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to
32 any limitations in RCW 18.36A.040 and section 2 of this act; a
33 pharmacist under chapter 18.64 RCW or a scientific investigator under
34 this chapter, licensed, registered or otherwise permitted insofar as
35 is consistent with those licensing laws to distribute, dispense,
36 conduct research with respect to or administer a controlled substance
37 in the course of their professional practice or research in this
38 state.

39 (2) A pharmacy, hospital or other institution licensed,
40 registered, or otherwise permitted to distribute, dispense, conduct

1 research with respect to or to administer a controlled substance in
2 the course of professional practice or research in this state.

3 (3) A physician licensed to practice medicine and surgery, a
4 physician licensed to practice osteopathic medicine and surgery, a
5 dentist licensed to practice dentistry, a podiatric physician and
6 surgeon licensed to practice podiatric medicine and surgery, a
7 licensed physician assistant or a licensed osteopathic physician
8 assistant specifically approved to prescribe controlled substances by
9 his or her state's medical quality assurance commission or equivalent
10 and his or her supervising physician, an advanced registered nurse
11 practitioner licensed to prescribe controlled substances, a
12 naturopath licensed to prescribe controlled substances and subject to
13 requirements substantially similar to those required in section 2 of
14 this act, or a veterinarian licensed to practice veterinary medicine
15 in any state of the United States.

16 (mm) "Prescription" means an order for controlled substances
17 issued by a practitioner duly authorized by law or rule in the state
18 of Washington to prescribe controlled substances within the scope of
19 his or her professional practice for a legitimate medical purpose.

20 (nn) "Production" includes the manufacturing, planting,
21 cultivating, growing, or harvesting of a controlled substance.

22 (oo) "Qualifying patient" has the meaning provided in RCW
23 69.51A.010.

24 (pp) "Recognition card" has the meaning provided in RCW
25 69.51A.010.

26 (qq) "Retail outlet" means a location licensed by the state
27 liquor and cannabis board for the retail sale of marijuana
28 concentrates, useable marijuana, and marijuana-infused products.

29 (rr) "Secretary" means the secretary of health or the secretary's
30 designee.

31 (ss) "State," unless the context otherwise requires, means a
32 state of the United States, the District of Columbia, the
33 Commonwealth of Puerto Rico, or a territory or insular possession
34 subject to the jurisdiction of the United States.

35 (tt) "THC concentration" means percent of delta-9
36 tetrahydrocannabinol content per dry weight of any part of the plant
37 *Cannabis*, or per volume or weight of marijuana product, or the
38 combined percent of delta-9 tetrahydrocannabinol and
39 tetrahydrocannabinolic acid in any part of the plant *Cannabis*
40 regardless of moisture content.

1 (uu) "Ultimate user" means an individual who lawfully possesses a
2 controlled substance for the individual's own use or for the use of a
3 member of the individual's household or for administering to an
4 animal owned by the individual or by a member of the individual's
5 household.

6 (vv) "Useable marijuana" means dried marijuana flowers. The term
7 "useable marijuana" does not include either marijuana-infused
8 products or marijuana concentrates.

--- **END** ---