
SENATE BILL 6744

State of Washington 54th Legislature 1996 Regular Session

By Senators Kohl, McCaslin, Fairley and Thibaudeau

Read first time 01/30/96. Referred to Committee on Ways & Means.

1 AN ACT Relating to medicinal marijuana; amending RCW 69.51.020 and
2 69.51.040; creating new sections; and making appropriations.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that current
5 synthetic drugs that contain the active ingredient of
6 tetrahydrocannabinol (THC) may be inadequate to control the nausea and
7 adverse effects of AIDS or HIV-related illness, cancer chemotherapy and
8 cancer radiology and additionally, the adverse effects of glaucoma,
9 multiple sclerosis, and other life-threatening diseases. Some research
10 shows that the use of synthetic THC may not provide effective relief
11 and may produce severe side effects. Recent research has shown that
12 marijuana in its vegetative state has medicinal value for alleviating
13 the ill effects of these diseases and other therapies. Dosage and THC
14 levels can be regulated in cultivated vegetative marijuana.

15 (2) Therefore, the legislature finds that there is a need for
16 further research regarding the cultivation, processing, and
17 distribution of medicinal marijuana under strictly controlled
18 circumstances. The primary issue is to determine the appropriate
19 entity to cultivate and manufacture the marijuana plant. There is a

1 need to identify which organization or organizations could manufacture
2 medicinal marijuana plants with the appropriate chemical content, and
3 provide strict regulation of the distribution of the plant to qualified
4 patients. For this reason the legislature directs Washington State
5 University, in conjunction with the University of Washington, the state
6 board of pharmacy, and the department of health to perform a study to
7 research a tamper-free means of cultivating effective and safe
8 marijuana plants for medicinal purposes.

9 (3) The study must investigate and determine: (a) The proper
10 entities for manufacturing medicinal marijuana; (b) the appropriate
11 chemical content of marijuana plants to provide safe and effective
12 relief; (c) strict licensing procedures for the manufacturing process
13 to prevent diversion; (d) the costs involved with manufacturing
14 marijuana plants; and (e) the costs involved with processing and
15 distributing the plant. The study must also examine potential benefits
16 for patients using vegetable marijuana for medicinal reasons.

17 (4) The study must meet the approval of the United States food and
18 drug administration, the national institute of drug abuse, and other
19 appropriate state and federal entities.

20 (5) A person authorized to engage in research under this chapter is
21 immune from prosecution for a violation of chapter 69.50 RCW with
22 respect to the manufacture, delivery, or possession of vegetable
23 marijuana or a vegetable marijuana derivative.

24 NEW SECTION. **Sec. 2.** Entities conducting the study in section 1
25 of this act may convene an advisory panel made up of medical experts,
26 law enforcement personnel, lawyers, educators, and other interested
27 persons.

28 NEW SECTION. **Sec. 3.** Representatives from Washington State
29 University, in conjunction with the University of Washington, the state
30 board of pharmacy, and the department of health must report their
31 findings and recommendations to the legislature by December 1, 1996.

32 **Sec. 4.** RCW 69.51.020 and 1979 c 136 s 2 are each amended to read
33 as follows:

34 The legislature finds that recent research has shown that the use
35 of marijuana may alleviate the nausea and ill effects of cancer, AIDS
36 or HIV-related illness, chemotherapy and radiology, and, additionally,

1 may alleviate the ill effects of glaucoma, multiple sclerosis, and
2 other life-threatening diseases. The legislature further finds that
3 there is a need for further research and experimentation regarding the
4 use of marijuana under strictly controlled circumstances. It is for
5 this purpose that the Controlled Substances Therapeutic Research Act is
6 hereby enacted.

7 **Sec. 5.** RCW 69.51.040 and 1989 1st ex.s. c 9 s 439 are each
8 amended to read as follows:

9 (1) There is established in the board the controlled substances
10 therapeutic research program. The program shall be administered by the
11 department. The board shall promulgate rules necessary for the proper
12 administration of the Controlled Substances Therapeutic Research Act.
13 In such promulgation, the board shall take into consideration those
14 pertinent rules promulgated by the United States drug enforcement
15 agency, the food and drug administration, and the national institute on
16 drug abuse.

17 (2) Except as provided in RCW 69.51.050(4), the controlled
18 substances therapeutic research program shall be limited to cancer
19 chemotherapy and radiology patients (~~and~~), glaucoma, AIDS or HIV-
20 related illness, multiple sclerosis, and other life-threatening disease
21 patients, who are certified to the patient qualification review
22 committee by a practitioner as being involved in a life-threatening or
23 sense-threatening situation. No patient may be admitted to the
24 controlled substances therapeutic research program without full
25 disclosure by the practitioner of the experimental nature of this
26 program and of the possible risks and side effects of the proposed
27 treatment in accordance with the informed consent provisions of chapter
28 7.70 RCW.

29 (3) The board shall provide by rule for a program of registration
30 with the department of bona fide controlled substance therapeutic
31 research projects.

32 NEW SECTION. **Sec. 6.** (1) The sum of dollars, or as
33 much thereof as may be necessary, is appropriated for the biennium
34 ending June 30, 1997, from the general fund to the for the
35 purposes of this act.

36 (2) The sum of dollars, or as much thereof as may be
37 necessary, is appropriated for the biennium ending June 30, 1997, from

1 the general fund to the state board of pharmacy to perform a clinical
2 research study under chapter 69.51 RCW concerning the effects of
3 medicinal marijuana for alleviating nausea and other adverse effects
4 associated with AIDS and HIV-related illness, cancer chemotherapy and
5 cancer radiology, and, additionally, the adverse effects of glaucoma
6 and multiple sclerosis, provided that this research meets with the
7 appropriate state and federal approval.

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