

# FINAL BILL REPORT

## I 692

C 2 L 99

Synopsis as Enacted

**Brief Description:** Medical use of marijuana.

**Sponsors:** By People of the State of Washington.

**Background:** State and federal law prohibit the manufacture, delivery, or possession of marijuana and limit its use for research. Marijuana is classified as a Schedule I controlled substance. Schedule I substances are characterized as having a high potential for abuse, no currently accepted medical use, and no accepted safe means for using the drug under medical supervision. Schedule I substances may not be prescribed by a physician.

Some physicians have recommended the therapeutic use of marijuana for patients suffering from certain illnesses. While there is disagreement, there is research that appears to show that marijuana, although unable to cure underlying medical conditions, is useful for the treatment of certain symptoms. Some patients have reported the beneficial use of marijuana to treat chemotherapy-induced nausea and vomiting, AIDS-related weight loss, glaucoma, muscle spasms associated with epilepsy and multiple sclerosis, and some forms of intractable pain.

**Summary:** Findings are made concerning the use of marijuana for medical purposes.

The use of marijuana for medical purposes is a defense to the violation of a state law pertaining to marijuana for any qualifying patient or for a designated primary caregiver assisting a qualifying patient in the use of marijuana. Qualifying patients who are over 18 years of age may (1) present valid documentation to any law enforcement official who questions their medical use of marijuana, and (2) possess enough marijuana for their own personal medical use, but not to exceed a 60-day supply. Qualifying patients who are under 18 may also present valid documentation to law enforcement officials; however, any possession, production, acquisition, or decision as to dosage is to be made by their parent or legal guardian.

Licensed physicians are exempt from criminal liability or other penalties for either advising qualifying patients about the risks and benefits of using marijuana or for providing documentation to a qualifying patient stating that the possible benefits of using marijuana outweigh the health risks.

Medical conditions for which marijuana may be used are specified. Upon petition by a physician or patient, the Medical Quality Assurance Commission, or other entity designated by the Governor, may add other conditions after having held a public hearing.

It is a crime to display medical marijuana in view of the public or to fraudulently produce or tamper with valid documentation. The affirmative defense does not apply to those using the substance and operating a motorized vehicle in a way that endangers others.

**Effective:** December 3, 1998