

SENATE BILL REPORT

SB 5498

As Reported by Senate Committee On:
Labor & Commerce, February 12, 2019

Title: An act relating to establishing compassionate care renewals for medical marijuana qualifying patients.

Brief Description: Establishing compassionate care renewals for medical marijuana qualifying patients.

Sponsors: Senators Takko and Nguyen.

Brief History:

Committee Activity: Labor & Commerce: 2/07/19, 2/12/19 [DPS-WM].

Brief Summary of First Substitute Bill

- Exempts a qualifying patient from the requirement to have an in-person physical examination when seeking to renew a medical marijuana authorization, if a health care professional finds that an in-person examination would likely result in a severe hardship to the qualifying patient and a physical examination is performed with telemedicine technology.
- Exempts a qualifying patient from the requirement to be physically present and have a photograph taken when seeking to renew registration in the Medical Marijuana Authorization Database and a recognition card if a health care professional finds it would likely result in a severe hardship to the qualifying patient.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 5498 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña, Walsh and Wellman.

Staff: Richard Rodger (786-7461)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: Washington State residents qualify for the medical use of marijuana if they are patients of a health care professional, have been diagnosed with a terminal or debilitating medical condition, have been advised of the benefits and risks of marijuana use, and have been advised they may benefit from the use of medical marijuana by their health care professional.

The qualifying patients must either have an authorization form from their health care professional or must be entered into the Medical Marijuana Authorization Database (database) and receive a recognition card.

To be entered in the database and receive a recognition card, a qualifying patient or designated provider must bring the authorization from the health care professional to a marijuana retailer with a medical marijuana endorsement. At that time, the retailer enters the person into the database and provides the qualifying patient or designated provider with a recognition card that includes a picture taken at the time of registration. The recognition card may be renewed upon reexamination by a health care professional and the issuance of a new authorization.

Summary of Bill (First Substitute): A qualifying patient who seeks to either renew a medical marijuana authorization or registration in the database and recognition card may be exempted from in-person renewal activities if a health care professional has found it would likely result in severe hardship to the qualifying patient because of a physical or emotional condition.

For the renewal of a medical marijuana authorization, following an initial in-person physical examination of the qualifying patient, the health care professional may conduct subsequent physical examinations for purposes of renewal through the use of telemedicine technology.

For the renewal of a qualifying patient's registration in the database and recognition card, the qualifying patient's designated provider may renew the qualifying patient without the need for the qualifying patient to be physically present at a marijuana retailer or to have a photograph taken.

The policy related to these renewals begins immediately; however, the Department of Health (DOH) may adopt rules to implement compassionate care renewals and streamline administrative functions.

Expired provisions are eliminated related to (1) health care professionals reporting the number of authorizations issued for the medical use of marijuana; and (2) DOH reporting on the cost of the database.

EFFECT OF CHANGES MADE BY LABOR & COMMERCE COMMITTEE (First Substitute):

- Makes the renewal provisions effective on January 1, 2020.
- Allows the DOH rulemaking to begin 90 days after passage.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect ninety days after passage, with the exception that the renewal provisions which take effect on January 1, 2020.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: There are a number of people who use medical marijuana to help provide relief for their medical conditions. Many of them have difficulty in getting around. The bill will allow them to renew their authorization forms and recognition cards without having to go into an office.

Persons Testifying: PRO: Senator Dean Takko, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.