



# Standards for Marijuana Products Intended for Medical Use

## Stakeholder Input Sessions:

October 8, 2015 -- *Tumwater*

October 22, 2015 -- *Kent*

October 26, 2015 -- *Ellensburg*

October 30, 2015 -- *Spokane*

# Objectives for this Session

1. Provide information about the emergency rules that will ensure patients have access to quality assured products.
2. Collect stakeholder feedback before adoption of permanent rules in 2016.

# Agenda

- Handouts
- Guidelines
- History of Legislation
- Rulemaking Process
- Product Rules Overview
- Stakeholder Input
- Wrap Up, Next Steps

# Guidelines for Participants

- This is a public meeting and everyone is welcome.
- Since this is a public meeting anything shared has the potential to be part of public record.
- The intent is for everyone to be respectful of all parties present.

# History of Legislation

Cannabis Patient Protection Act

# History of Legislation

- **1998:** I-692 Permitted patients with certain conditions to use medical marijuana.
- **2008:** 60-day supply for patients was defined as 24 ounces and 15 plants.
- **2012:** I-502 Licenses and regulates marijuana production, distribution, and possession for persons 21 and over.
- **April 24, 2015:** Gov. Inslee signed 2SSB 5052, the [Cannabis Patient Protection Act \(PDF\)](#).
- **July 1, 2015:** 2ESSHB 2136, Marijuana-Reforms-Taxation

# SB 5052 – DOH Requirements

- Contracting with a third party to create and administer a medical marijuana authorization database;
- Adopting rules relating to the operation of the database;
- Adopting rules regarding products sold to patients and their designated providers;
- Consulting with the LCB about requirements for a retail store to get a medical marijuana endorsement;
- Creating a medical marijuana consultant certification program;
- Developing and approving continuing education for healthcare practitioners who authorize the medical use of marijuana; and
- Making recommendations to the legislature about establishing medical marijuana specialty clinics.

# Filing of Emergency Rules – 10/5

- The goal is to ensure patients have access to safe, consistent products by July 1, 2016, the date all existing dispensaries must be licensed to continue to operate.
- Because these rules impact marijuana production from the earliest stage of growth, these rules must be in place at least six months prior to the anticipated date of sale.
- Given that deadline, there is not enough time to go through the standard rule process and still ensure adequate access.

# DOH Goals for SB 5052 & HB 2136

- Protect access for patients with qualifying conditions
- Ensure safe, quality tested and accurately labeled products for patients

# Rulemaking Process

WA Medical Marijuana Program

# Rulemaking Process

When the legislature passes a law, they may direct an agency to create rules to implement the law.

- When conducting rulemaking, the department must follow the requirements in:

[Administrative Procedure Act, chapter 34.05 RCW](#)

and

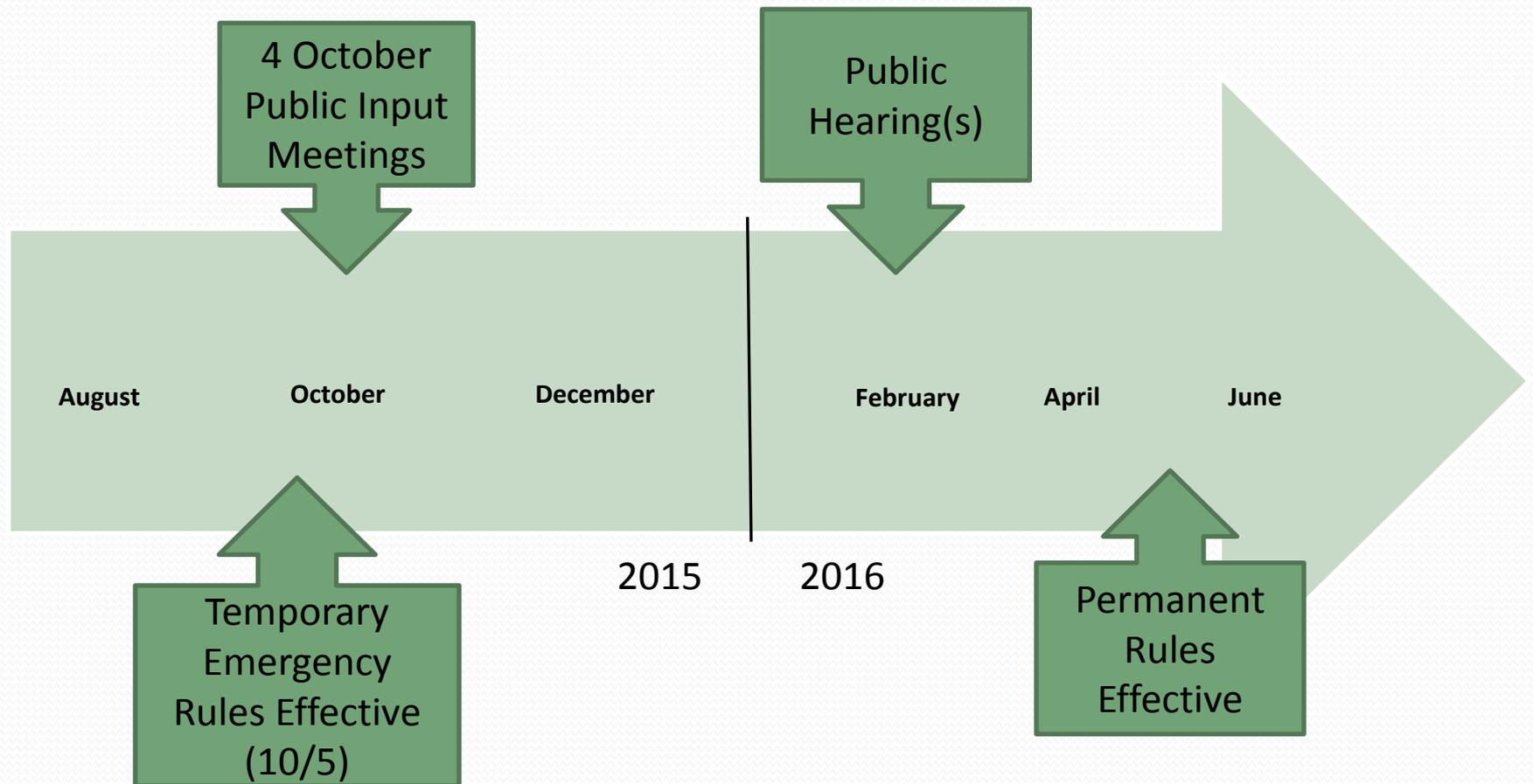
[Regulatory Fairness Act, chapter 19.85 RCW](#)

- Stakeholders interested in the department's rulemaking activities should join our ListServ.

# SB 5052 - DOH Required Rules

- Establish a Patient Authorization Database
- Establish a Consultant Certification
- Establish Product Requirements

# Proposed Timeline for Product Rules



# Product Rules

SB 5052: Section 10

HB 2136: Section 207

# Product Rules: SB 5052

For products that may be sold or donated to patients at a medically endorsed retail store, DOH must determine:

- THC and CBD concentrations/ratios
- Labeling requirements
- Testing for pesticides, mold, fungus, solvents, etc.
- Safe handling requirements
- Employee training requirements

# How the Rules Address the SB 5052 Requirements

## **The Rules Do:**

- Create voluntary standards for safer and healthier products.
- Allow consumers the choice of compliant or regular products.

## **The Rules Do Not:**

- Differentiate between “medical and “non-medical” marijuana.
- Limit the types of products a patient with a recognition card will be able to purchase.

# Product Rules: HB 2136

- DOH must identify products that may be beneficial for medical use.
- Identified products will be sold without sales tax.

# How the Rules Address the HB 2136 Requirements

## **The Rules Do:**

- State that the determination of what is medically beneficial should be made between the patient and his/her healthcare practitioner.
- Create ratios for high CBD/low THC products that are sales tax free for any adult.

## **The Rules Do Not:**

- Limit concentrates or extracts to only these ratios.
- Limit patients to only products containing these ratios.

# Marijuana Product Purchases

	High THC Compliant	High CBD Compliant	General Use Compliant	Any Product Available for Sale in a Retail Store with a Medical Endorsement
Patients and Designated Providers with Recognition Card*	✓	✓	✓	✓
Any Adult Consumer		✓	✓	✓

\*All purchases made by a card holder are sales tax free at 3 times the recreational purchase limits.  
Cards can be obtained in medically endorsed stores on July 1, 2016.

# Stakeholder Input

Timed Comments

# Methods of Collecting Input

1. Verbal comments – timed
2. Individually written comments via worksheets
3. Comments emailed to department **[medicalmarijuana@doh.wa.gov](mailto:medicalmarijuana@doh.wa.gov)**

# Timed Verbal Comments

- Each individual will have the opportunity for one, timed comment period of five minutes.
- Comment time cannot be donated to another individual.
- A note-taker will be summarizing the themes of what we're hearing and share on the web site.

# Wrap Up, Next Steps

- What happens next?
- Where can we find a summary of comments received?
- Next meeting details

*Thank you*

# Contact Information

## Website

- [www.doh.wa.gov/MedicalMarijuana](http://www.doh.wa.gov/MedicalMarijuana)

## Email

- [medicalmarijuana@doh.wa.gov](mailto:medicalmarijuana@doh.wa.gov)

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