



Issue .....	Possible Points		
<b>PATIENT RIGHTS &amp; CIVIL PROTECTION (total) .....</b>	<b>100</b>	<b>80</b>	
Arrest protection .....	40	40	
Affirmative defense .....	15	15	
Child custody .....	10	10	
DUID protections .....	5	0	
Employment .....	5	0	
Explicit privacy standards.....	7	7	
Housing protections .....	5	0	
Does not create new criminal penalties for patients .....	5	3	
Organ transplants .....	5	5	
Reciprocity .....	3	0	
<b>EASE OF NAVIGATION (total).....</b>	<b>100</b>	<b>89</b>	
Comprehensive qualifying conditions.....	50	46	
<b>Adding new conditions (total).....</b>	<b>10</b>	<b>5</b>	
Law/Regs allow for new conditions .....	5	3	
System works for adding new conditions.....	5	2	
Reasonable access for minors.....	10	9	
Reasonable caregiver background check requirements..	4	4	
Number of caregivers .....	2	2	
Patient/Practitioner focused task force/advisory Board ..	2	0	
Reasonable fees (patients & caregivers).....	10	8	
Allows multiple-year registrations .....	2	0	
Reasonable physician requirements.....	5	10	
Does not classify cannabis as medicine of last resort.....	5	5	
<b>ACCESS TO MEDICINE (total) .....</b>	<b>100</b>	<b>86</b>	
<b>Allows distribution programs (total).....</b>	<b>40</b>	<b>35</b>	
Allows access to dried flowers.....	15	15	
Allows delivery .....	5	5	
No sales tax or reasonable sales tax.....	5	3	
Reasonable number of dispensing facilities .....	5	3	
Does not require vertical integration .....	2	2	
Ownership/Employment restrictions .....	2	1	
Provisions for labor standards .....	2	2	
Environmental impact regulations .....	2	0	
Unrestricted choice of dispensary .....	2	2	
<b>Non-commercial cultivation (total) .....</b>	<b>20</b>	<b>18</b>	
Personal cultivation.....	15	15	
Collective gardens .....	5	3	
Explicit right to edibles/concentrates/other forms .....	10	10	
Does not impose limits or bans on THC .....	10	10	
Does not impose minimum CBD requirements.....	10	10	
Municipal bans/zoning .....	10	5	
<b>FUNCTIONALITY (total).....</b>	<b>100</b>	<b>73</b>	
Patients are able to obtain medicine.....	50	40	
Free of significant administrative or supply problems..	15	10	
Legal protections within reasonable time frame .....	10	8	
Reasonable possession limit (ounces) .....	5	4	
Reasonable purchase limits.....	5	4	
Allows patients to medicate where they chose .....	5	3	
Covered by insurance/state health aide .....	3	0	
Financial hardship (fee waivers/discount medicine).....	7	4	
<b>PRODUCT SAFETY (total - see back for details).....</b>	<b>100</b>	<b>93</b>	
Dispensing .....	25	22	
Cultivation .....	25	23	
Manufacturing .....	25	23	
Lab.....	25	25	
<b>Improvement Bonus.....</b>		<b>5</b>	
<b>Total out of 500.....</b>		<b>426</b>	
<b>Score percentage .....</b>		<b>85</b>	
			<b>Final Grade = B</b>

**Areas for improvement:** Despite the severe scaling back of Washington's medical cannabis program, the state still continues to be one of the best states in the country for patient access on a number of fronts. While it was necessary for Washington to adopt a state regulated dispensary system for adult use, merging it with the medical program was suboptimal, and continued access to a wide range of medical products may be at risk. Additionally, the Liquor Control Board's sudden 14-day shut down letters to medical dispensaries will leave many patients with no options but recreational stores in which they cannot discuss their medical needs. That said, the state's adoption of strong product safety language will benefit patients. The legislature would be wise to preserve/reinstate its collective garden rights to help ensure that patient needs are met, as those rights are set to expire in mid-2016.

**Background:** In 1998, Washington voters approved state Initiative Measure No. 692, allowing a qualifying patient or designated provider to have a 60-day supply of medical cannabis, later defined as 24 ounces and 15 plants. Qualifying patients and caregivers within those limits are protected from arrest and prosecution; a patient who exceeds those limits is entitled to an affirmative defense of medical necessity. Designated providers must be 18 years of age or older. Dispensaries are not permitted under Washington law, but up to ten (10) patients may participate in a collective garden of 45 plants or less. In 2011, the state legislature changed the requirements for recommending cannabis to patients. Currently, recommendations must be on tamper-resistant paper and include an original signature by the healthcare provider, a date, and a statement that the patient may benefit from the medical use of marijuana. In November 2012, voters passed Initiative 502 relating to the adult use of cannabis, but that law does not directly affect the rights and protections afforded to patients. In 2015, the state approved SB 5052, which establishes state regulated medical cannabis retail access points utilizing the I-502 retail stores and made significant changes to the state's patient cultivation rights. Collective gardens will no longer be allowed as of July 2016, and patients are to apply to form non-commercial cooperatives to provide an alternative to access from retail stores.

## PRODUCT SAFETY point breakdown

(Point totals by section included in grade calculation on reverse)

Issue .....	Possible Points		
<b>DISPENSING (total) .....</b>	<b>25</b>	<b>22</b>	
Dispensary training .....	5	5	
<b>Operating Procedures and Protocols.....</b>	<b>5</b>	<b>4</b>	
Facility sanitary conditions .....	Y or N	Y	
Storage protocols .....	Y or N	Y	
Reasonable security protocols .....	Y or N	Y	
Inventory control .....	Y or N	Y	
Recall protocol and adverse event reporting .....	5	3	
<b>Product Labeling .....</b>	<b>5</b>	<b>5</b>	
Product contents including source material ID .....	Y or N	Y	
Allergens .....	Y or N	Y	
Potency/compound identification .....	Y or N	Y	
<b>Required Testing .....</b>	<b>5</b>	<b>5</b>	
Active ingredient identification .....	Y or N	Y	
Contaminants .....	Y or N	Y	
Potency .....	Y or N	Y	
Shelf life testing .....	Y or N	Y	
Sample retention .....	Y or N	Y	
Recall protocol and adverse event reporting: .....	5	3	
<b>CULTIVATION (total).....</b>	<b>25</b>	<b>23</b>	
Cultivation training.....	5	5	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>5</b>	
Facility and equipment sanitary conditions .....	Y or N	Y	
Workforce safety protocols .....	Y or N	Y	
Storage protocols (short and long term) .....	Y or N	Y	
Reasonable security protocols .....	Y or N	Y	
Batch and lot tracking .....	Y or N	Y	
Disposal/waste .....	Y or N	Y	
Water management .....	Y or N	Y	
<b>Pesticide Guidance and Protocols .....</b>	<b>5</b>	<b>5</b>	
Pesticide guidance.....	Y or N	Y	
Product labeling .....	Y or N	Y	
Required testing .....	5	5	
Active ingredient identification .....	Y or N	Y	
Contaminants .....	Y or N	Y	
Potency .....	Y or N	Y	
Sample retention .....	Y or N	Y	
Recall protocol and adverse event reporting.....	5	3	
<b>MANUFACTURING (total).....</b>	<b>25</b>	<b>23</b>	
Manufacturing training .....	5	5	
<b>Standard Operating Procedures and Protocols.....</b>	<b>5</b>	<b>5</b>	
Facility and equipment sanitary conditions .....	Y or N	Y	
Workforce safety protocols .....	Y or N	Y	
Storage protocols .....	Y or N	Y	
Reasonable security protocols .....	Y or N	Y	
Batch and lot tracking .....	Y or N	Y	
<b>Product Labeling .....</b>	<b>5</b>	<b>5</b>	
Product contents with source material ID .....	Y or N	Y	
Allergens .....	Y or N	Y	
Potency/compound identification .....	Y or N	Y	
<b>Required Testing .....</b>	<b>5</b>	<b>5</b>	
Active ingredient identification .....	Y or N	Y	
Contaminants .....	Y or N	Y	
Potency .....	Y or N	Y	
Shelf life testing .....	Y or N	Y	
Sample retention .....	Y or N	Y	
Recall protocol and adverse event reporting: .....	5	3	
<b>LABORATORY (total).....</b>	<b>25</b>	<b>25</b>	
Lab operations training.....	5	5	
Method validation in accordance with AHP guidelines .....	5	5	
Result reporting - disclose the type of testing used.....	5	5	
Independent or third party certification.....	5	5	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>5</b>	
Equipment and instrument calibration .....	Y or N	Y	
Sample tracking .....	Y or N	Y	
Facility and equipment sanitary conditions .....	Y or N	Y	
Disposal/waste protocols .....	Y or N	Y	
Storage protocols .....	Y or N	Y	
Workforce safety protocols .....	Y or N	Y	
<b>Total out of 100 .....</b>			<b>93</b>

### Tools for Success:

Improving your state law has never been easier. In the appendix of this report you will find model legislation and regulators guides for product safety protocols. ASA staff are all also available to draft and/or review legislative and regulatory language. Our website has many resources online including access to our policy shop at [http://www.safeaccessnow.org/policy\\_shop](http://www.safeaccessnow.org/policy_shop), information for regulators available at <http://patientfocusedcertification.org/about/information-for-regulators/> and a breakdown of all the state laws at [http://www.safeaccessnow.org/state\\_and\\_federal\\_law](http://www.safeaccessnow.org/state_and_federal_law).