



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR 15-17-058 ; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Chapter 246-72 WAC - Medical Marijuana Consultant Certificate. Proposing a new chapter establishing rules for a medical marijuana consultant certificate.

Hearing location(s): Capital Event Center
Education Service District 13
6005 Tye Drive SW
Tumwater, WA 98512

Date: 1/26/16 Time: 2:00 pm

Submit written comments to:

Name: Cathie Tedrick
Address: Washington State Department of Health
PO Box 47852
Olympia, WA 98504-7852
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-2901 by (date) 01/26/2016

Assistance for persons with disabilities: Contact

Cathie Tedrick by 01/19/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 02/09/2016

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose is to create new rules to establish a certificate for medical marijuana consultants as established by RCW 69.51A.290. The proposal is intended to create standards for people that can work in medically endorsed medical marijuana retail stores to provide assistance to patients with selecting products to best meet their needs. Authority is also given to the department to establish fees, training, renewals, and other requirements for this certification.

Reasons supporting proposal:

RCW 69.51A.290 established a medical marijuana consultant certificate and authorized the department to adopt rules setting application, training, continuing education, fees and other standards for certificate applicants and holders. The legislature also authorized the department to adopt rules prescribing information that certificate holders may give to patients seeking medical marijuana products.

Statutory authority for adoption:

RCW 69.51A.290

Statute being implemented:

RCW 69.51A.290

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE 12/17/2015

NAME (type or print)

John Wiesman, DrPH, MPH

SIGNATURE

, DrPH, MPH

TITLE

Secretary of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 21, 2015

TIME: 11:49 AM

WSR 16-01-149

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Department of Health

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Chris Baumgartner	111 Israel Rd SE Tumwater, WA 98501	360-236-4819
Implementation....Chris Baumgartner	111 Israel Rd SE Tumwater, WA 98501	360-236-4819
Enforcement.....Dave Magby	111 Israel Rd SE Tumwater, WA 98501	360-236-4660

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Cathie Tedrick

Address: PO Box 47852

Olympia WA, 98504-7852

phone 360-236-4819

fax 360-236-2901

e-mail medicalmarijuana@doh.wa.gov

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(v) exempts rules the content of which is explicitly and dictated by statute.

specifically