

Chapter [WAC 246-70](#) Medical Cannabis Product Compliance

February 29, 2024 Department of Health Rulemaking Workshop

Summary of Feedback from Participants

General Comments

- Always keep patient needs at the forefront when considering policy options.
- Need a dedicated meeting for tax exemption rule language.
- Create more separation and less cross-referencing to LCB WACs. Make this more of a stand-alone rule that explicitly addresses patient needs. Use “meets requirements of 246-70 WAC” or something similar, to reinforce that 246-70 WAC sets requirements for medical grade cannabis.
- 2-hour workshop next time.
- Terpenes – be sure to address in testing/quality assurance standards in WAC 246-70-050.

WAC 246-70-010 Findings

- Generally looks good. Suggestion to include external reference to scientific papers that outline medical benefits.

WAC 246-70-030 Definitions

- Medical grade cannabis – general support for this term to describe products that meet the requirements of 246-70 WAC.
- Synthetically-derived cannabinoid – good definition for now, need to monitor how definition could evolve from state to state and be ready for a uniform definition if time comes.
- Cannabis concentrates – this definition comes from RCW 69.50.101, which includes the THC concentration of 10%. We need to make sure standards set in -040 below aren’t impacted by this part of the definition.
- Continue to evaluate and adjust definitions as rule language progresses.

WAC 246-70-040 Cannabis products compliant with this chapter.

- These categories are useful because they help patients with product selection, but they need to be fine-tuned.
- Enforcement – can we address this and reference LCB regulations that require them to do enforcement?

WAC 246-70-040 Cannabis products compliant with this chapter.

(1) Medical grade high CBD

- Use ratios instead of THC percentages in category; allow flexibility with the ratios, so long as the product is CBD-dominant.
- Suggested minimum 2:1 CBD to THC ratio for both flower and concentrates (producer/processor feedback).
- Flower/whole plant products – include and allow ratio flexibility here since it's difficult to refine to a higher CBD to THC ratio (i.e. crystallization at high temps).
- Unanimous support to allow medical grade products in all licensed retailers, not just ones with medical endorsements.

(2) Medical grade high THC.

- High-THC as a category is not helpful. Consumer will look at dosage more than potency. Need good info about dosage size.
- Edibles – capsules and tablets are already allowed. Mixed comments on whether to include edibles with high sugar content.
- Edibles are a huge deal – those who do large doses almost always do edibles at home, it's more cost effective.

(3) Medical grade general use.

- Expand on what this category includes rather than referring to LCB rules.
- Retain current language that says “products may be purchased by any adult age twenty-one or older, and qualifying patients between the ages of eighteen and twenty who are entered into the database and hold a valid recognition card.”