



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 10, 2023

TIME: 12:51 PM

WSR 23-05-052

**Agency:** Department of Health

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** Chapter 246-71 WAC, Medical Marijuana Authorization Database and 246-72 WAC, Medical Marijuana Consultant Certificate. The Department of Health (department) has adopted rule revisions to replace the term "marijuana" with "cannabis" in response to passage of Second Substitute House Bill 1210 (chapter 16, Laws of 2022).

The department has adopted other clarifying changes such as changing terms such as "gender," citations, and spellings throughout both chapters. These updates are general corrections for accuracy and readability. These additional technical changes are not referenced in the bill and include removing gender pronouns as well as removing the requirement to identify gender in the medical marijuana authorization database. The changes will not affect the intent or meaning of the rule.

**Citation of rules affected by this order:**

New: None

Repealed: None

Amended: WAC 246-71-010, 246-71-020, 246-71-030, 246-71-040, 246-71-050, 246-71-080, 246-71-130, 246-72-010, 246-72-020, 246-72-030, 246-72-040, 246-72-100, and 246-72-110.

Suspended: None

**Statutory authority for adoption:** RCW 69.51A.290 and RCW 69.51A.230

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 22-18-086 on September 06, 2022.

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: N/A

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted on the agency's own initiative:**

New	<u>0</u>	Amended	<u>13</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>13</u>	Repealed	<u>0</u>

**Date Adopted:** February 10, 2023

**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH

**Title:** Chief of Policy for Secretary of Health

**Signature:**

