



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

**APPLICABILITY
FIELD**

REVISION DATE
2/24/23

PAGE NUMBER
1 of 4

NUMBER
DOC 380.430

POLICY

TITLE

MEDICAL CANNABIS USE

REVIEW/REVISION HISTORY:

Effective: 9/24/12 DOC 620.380
Revised: 9/1/14
Revised: 12/24/15
Revised: 11/24/21 DOC 380.430
Revised: 2/24/23

SUMMARY OF REVISION/REVIEW:

Major changes to include reorganization of content and updated processes. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

1/30/23

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 69.51A](#)

POLICY:

- I. The Department has established processes for the authorization of medical cannabis use for an individual on community supervision with an imposed condition not to use cannabis.
 - A. The individual must be at least 18 years of age.
- II. This policy does not apply to individuals under the Indeterminate Sentence Review Board (ISRB) or a commutation order.
- III. The Department neither supports nor disapproves of medical cannabis use and nothing in this policy creates a right to accommodation for medical cannabis use.


DIRECTIVE:

- I. General Requirements
 - A. The Assistant Secretary of Community Corrections will ensure the criteria for medical cannabis use meets health care professional recommendations for medical cannabis use.
 - B. An individual on community supervision will not be in violation if the individual tests positive for tetrahydrocannabinol (THC):
 1. When the individual's health care professional, as defined in RCW 69.51A.010, has recommended use of medical cannabis and/or has prescribed Marinol®/dronabinol.
 2. If the medical cannabis use suitability and authorization process has been initiated.
 3. For 45 days after an authorized use has been rescinded.
- II. Suitability and Authorization
 - A. To initiate the suitability and authorization process, the individual must provide verbal notice of intent to apply for medical cannabis use and/or submit a current copy of the individual's authorization to the case manager, who will document the request/receipt of the authorization in a chronological (chrono) entry in the electronic file.

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1. The individual will complete and submit the following as soon as intent is provided:
 - a. DOC 13-035 Authorization for Disclosure of Health Information to the case manager with a completed and signed copy to the healthcare provider.
 - b. The top portion of DOC 14-053 Use of Medical Cannabis Verification to the healthcare provider to complete.
 - c. The top portion of DOC 14-055 Suitability for Medical Cannabis Use to the case manager.
 2. If under ISRB jurisdiction, the case manager will refer the individual to the ISRB.
- B. Upon receiving all completed forms, the case manager will complete the Case Manager section of DOC 14-055 Suitability for Medical Cannabis Use and forward it and all forms with any supporting documents within 3 business days to the Appointing Authority/Field Administrator to make a final determination.
- C. The Appointing Authority/Field Administrator will
1. Review and make a determination within 15 business days from the date of receipt of the required forms, and
 2. Complete the suitability form and forward a copy of the decision to the case manager.
- D. The case manager will notify the individual of the decision in writing, place a copy in the Field file, and ensure the decision is documented as a chrono in the individual's electronic file.
- E. The suitability and authorization process must be completed within 30 days of verbal notice of intent to apply for medical cannabis use and/or submission of a current copy of the individual's authorization to the case manager. The supervised individual must have a current authorization to continue medical cannabis use.
- F. Authorization for medical cannabis use will be rescinded upon learning the supervised individual no longer meets the Department's suitability requirements or the individual's cannabis use authorization has expired.

III. Appeal

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- A. If the individual is denied use of medical cannabis, the individual will have 15 business days from the date of the written decision to submit an appeal on DOC 14-056 Appeal for Medical Cannabis Use to the case manager, who will:
 1. Forward the appeal and all supporting documents to the Assistant Secretary for Community Corrections/designee, and
 2. Document the appeal as a chrono in the individual's electronic file.
- B. The Assistant Secretary for Community Corrections/designee will review the appeal and uphold/rescind the medical cannabis use decision.
 1. If the decision is upheld, the individual will not be allowed to use medical cannabis.
 2. If the decision is rescinded, the case may be referred for reprocessing to collect additional, relevant information.
- C. A copy of the completed DOC 14-056 Appeal for Medical Cannabis Use will be forwarded to the supervised individual, case manager, Community Corrections Supervisor, and Field Administrator/Appointing Authority.
 1. The case manager will place the copy in the Field file and ensure the decision is documented in a chrono entry in the electronic file.
- D. The Assistant Secretary of Community Corrections/designee decision is final and no subsequent appeals for the same request will be considered.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 13-035 Authorization for Disclosure of Health Information
 DOC 14-053 Use of Medical Cannabis Verification
 DOC 14-055 Suitability for Medical Cannabis Use
 DOC 14-056 Appeal for Medical Cannabis Use