



# Lessons Learned from Washington Marijuana Legalization

Mary Segawa  
Public Health Education Liaison



# Background

Medical use of marijuana approved for qualifying conditions (I-692)\*

1998

Initiative 502 – Retail sales and possession, limited quantities, ages 21 and over

2011 2012

SB 5052 – Integrated medical marijuana market; effective July 1

2016

SB 5073 - Regulated medical, partially vetoed

Retail stores opened – July 2014

*\*Did not “legalize” medical use; provided affirmative defense for qualifying patients with valid recommendation and their designated providers.*



# Regulatory Issues - Federal

## Federal Enforcement Guidelines

1. Preventing distribution to **minors**.
2. Preventing the revenue from going to **criminal enterprises, gangs and cartels**.
3. Preventing the **diversion** of marijuana from states where it is legal **to other states**.
4. Preventing state-authorized marijuana activity from being used as a **cover or pretext for the trafficking of other illegal drugs or other illegal activity**.



# Regulatory Issues - Federal

## Federal Enforcement Guidelines continued

5. Preventing **violence and the use of firearms** in the cultivation and distribution of marijuana.
6. Preventing **drugged driving and other adverse public health consequences** associated with marijuana use.
7. Preventing the **growing of marijuana on public lands and the environmental dangers** posed by marijuana production on public lands.
8. Preventing marijuana **possession or use on federal property**.



# Key Elements of Regulatory System

- Legalized system of producing, processing and retailing marijuana
- Possession limits – 21 and over
  - 1 ounce - useable marijuana for smoking
  - 16 ounces - solid form
  - 72 ounces - liquid form
- Taxation
  - Excise tax – 37 percent on retail
- Public safety and education
  - THC limit for DUI's (5 nanograms per ml of blood)
  - Limits on number of stores and locations, advertising
  - Revenue for public health, prevention, education, research, surveillance, evaluation



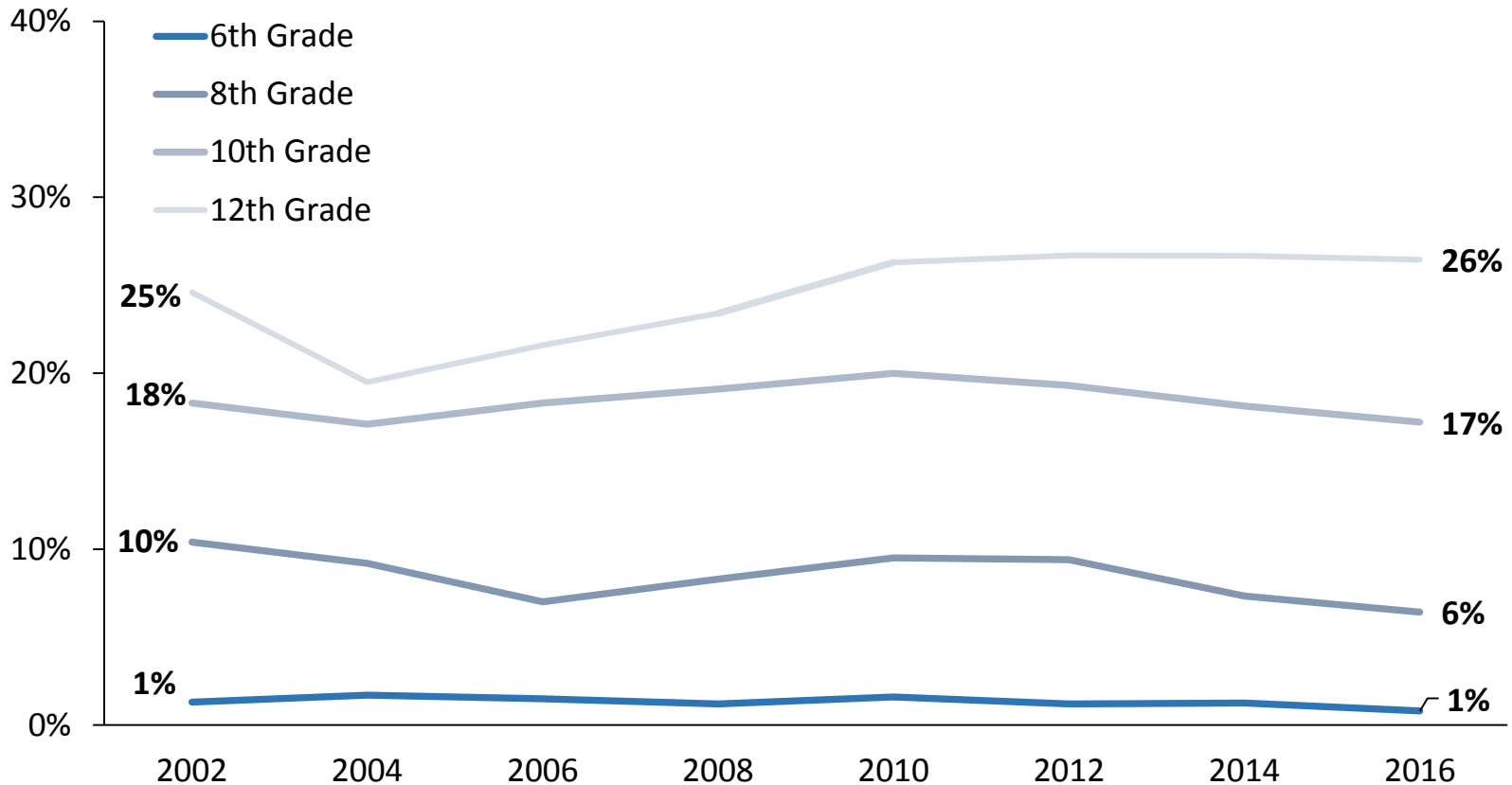
# Limiting Access

- How
  - Age restrictions
  - Compliance checks
  - Packaging and labeling requirements
  - Advertising limits
  - No home grows except for medical
- Tracking
  - Healthy Youth Survey
  - Young Adult Survey
  - Compliance check data
  - Graduation/dropout rates and disciplinary incidents
  - Treatment data
  - Poison Center and hospitalizations



## WA State Healthy Youth Survey

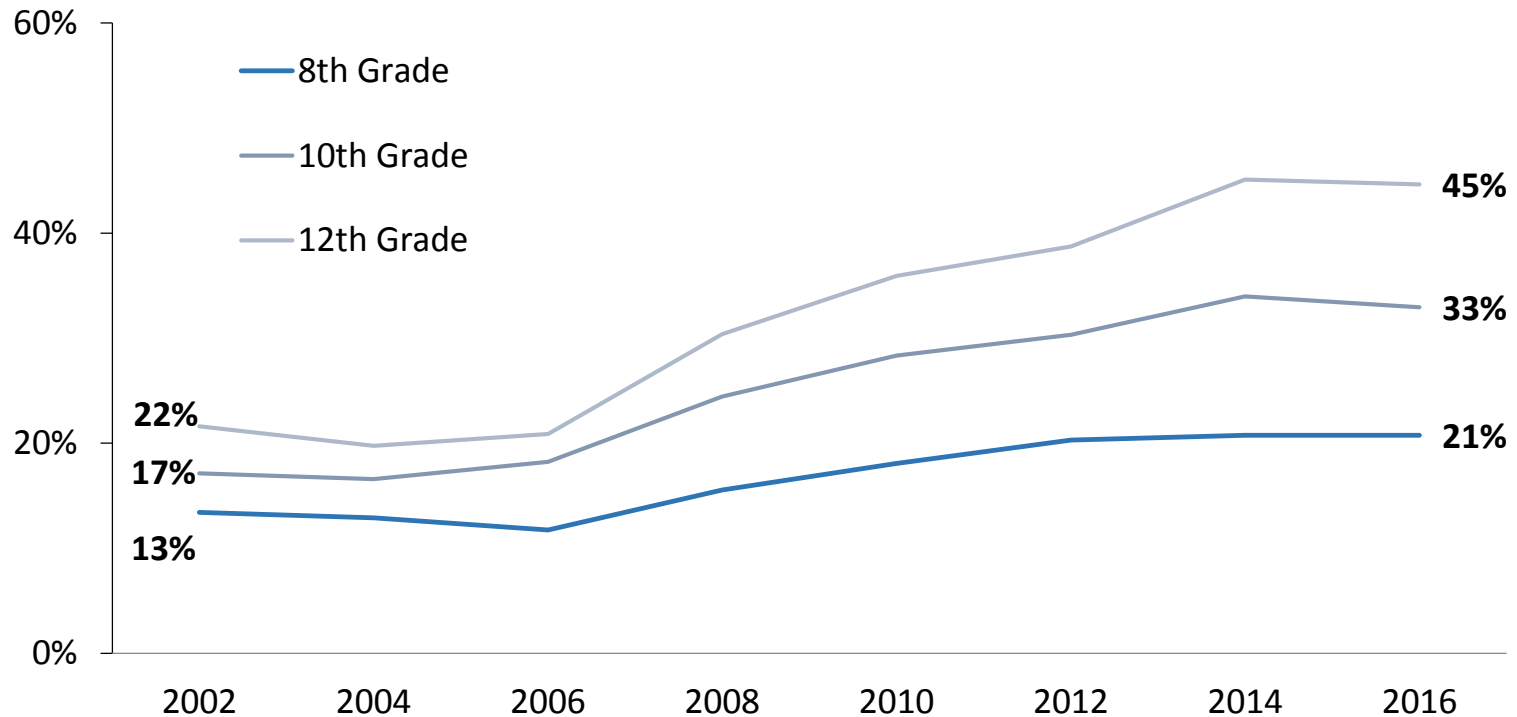
- Used marijuana during the past 30 days?





# WA State Health Youth Survey

- Regular use of marijuana has “no risk” or “slight risk”



**Note:** Includes responses where using marijuana regularly has no risk or only a slight risk.

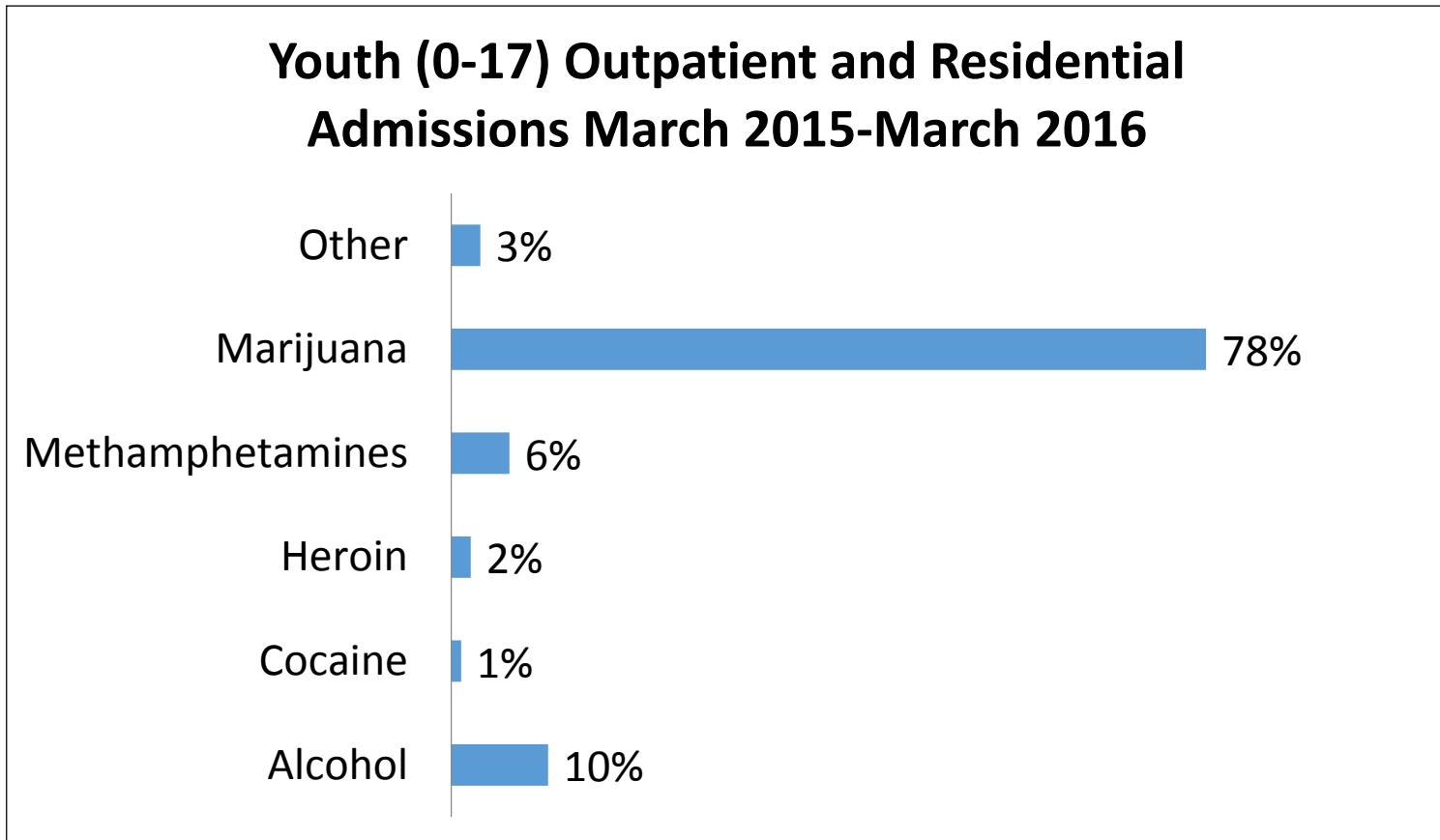
**Source:** Washington Healthy Youth Survey - 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016.





# Youth Treatment

- Primary substance reported at admission





# Preventing Diversion

- How
  - Traceability: Seed to sale system
  - Home grows prohibited for non-medical use
  - Strict security system
  - Use of population-level data to determine production limits and limit on retail stores
- Tracking
  - Auditing of traceability
    - Also provides data on product use, sales
  - Compliance visits
  - Complaints



# Drugged Driving

- How
  - Per se limit set
  - High visibility traffic enforcement
  - Media campaign
- Tracking
  - Traffic fatality data
- Limitations
  - Per se limit – Is 5 ng/ml viable
  - Time lag with blood draws



# AAA Foundation for Traffic Safety

## Key Findings

- From 2010 through 2013, the estimated number and proportion of drivers involved in fatal crashes who had a detectable concentration of THC in their blood ranged from a low of 48 (7.9%) to a high of 53 (8.5%)
  - The number and proportion both doubled from 49 (8.3%) in 2013 to 106 (17.0%) in 2014



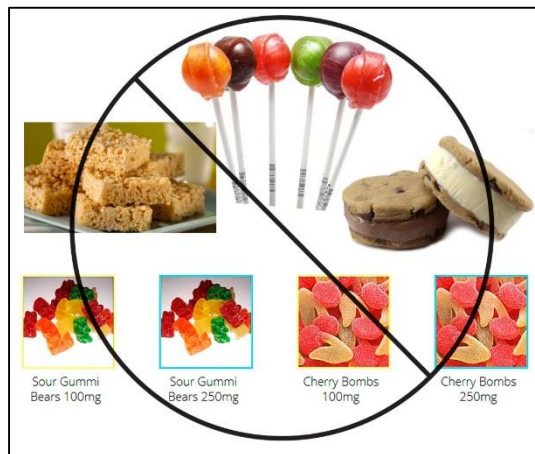
# Other Adverse Public Health Consequences

- How
  - THC and serving size limits on edibles
  - Packaging requirements
  - Labeling requirements
  - Edibles cannot be “especially appealing to children
  - Warning symbol developed by WA Poison Center
- Tracking
  - WA Poison Center data



# Packaging and Labeling - Edibles

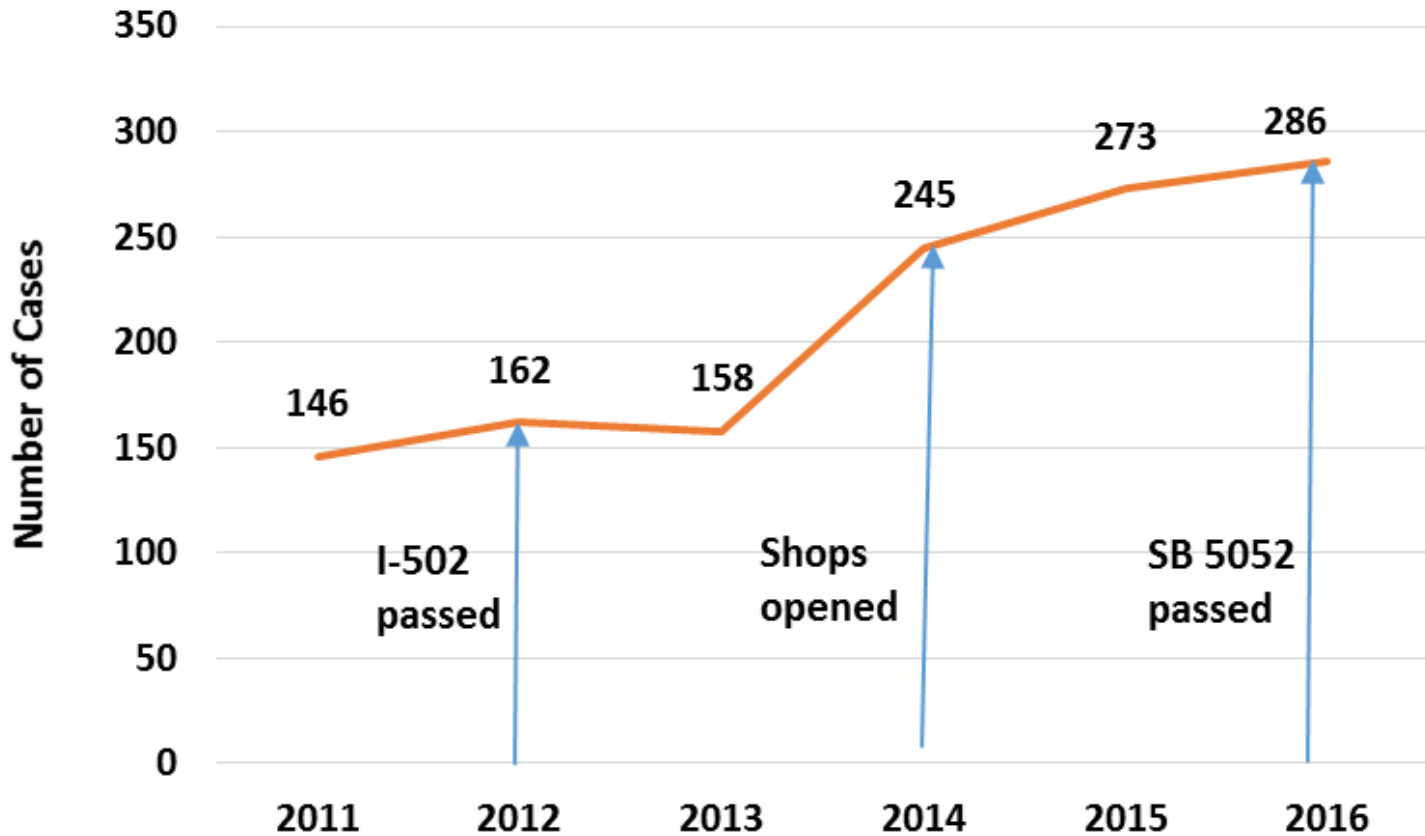
- Serving size limits
- Servings individually wrapped
- Child resistant packaging
- No gummies, lollipops, cotton candy, etc.
- Warning statements
- “Not for Kids” symbol





# Washington Poison Center

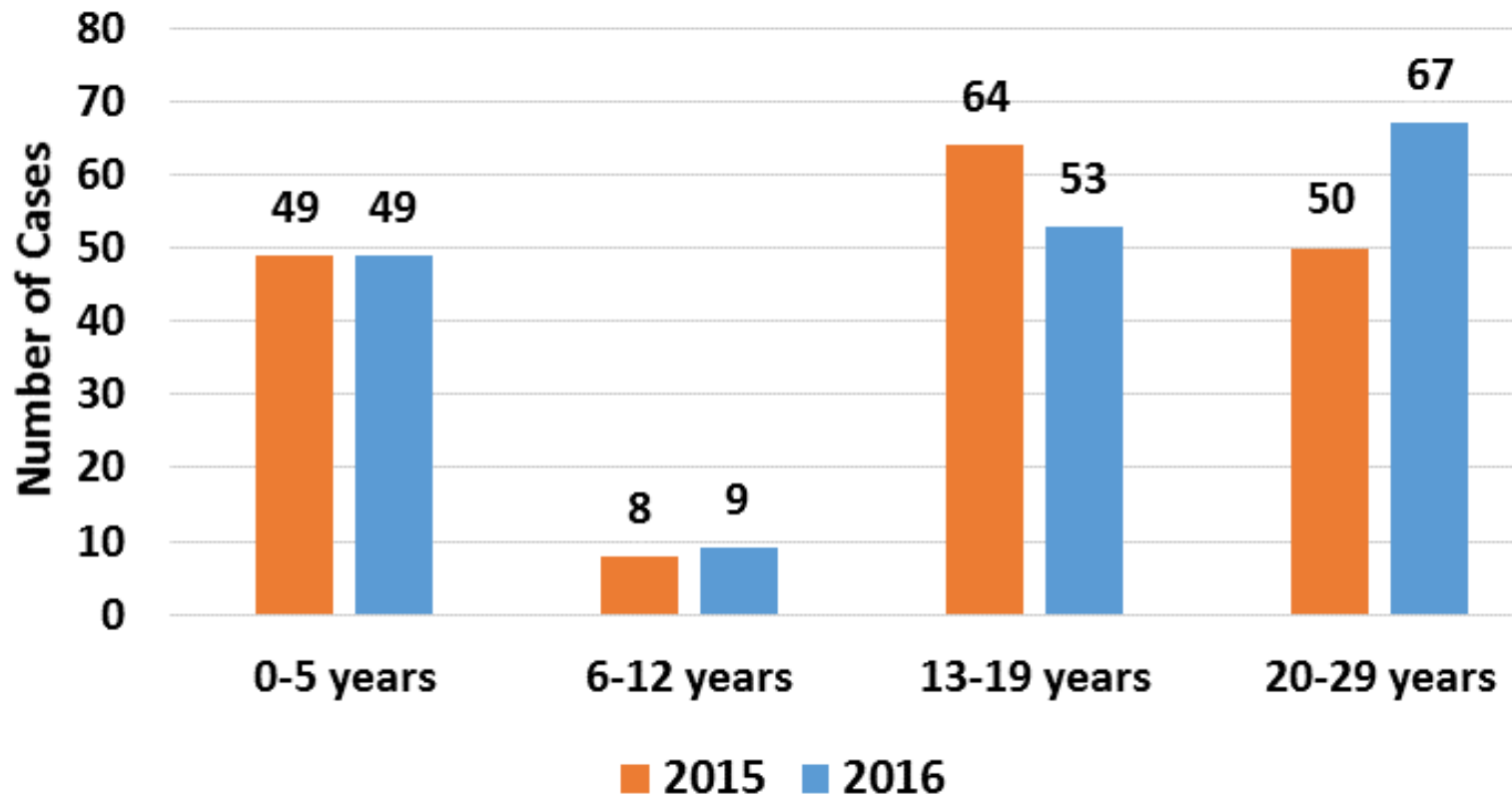
## Marijuana Exposures in WA for 2011-2016





# Washington Poison Center

## Marijuana Exposure by Age in WA for 2015-2016







# Evaluation Specifications - State

**Washington State Institute for Public Policy to  
examine outcomes related to:**

- Public health
- Public safety
- Substance use
- Criminal justice system
- Economic impacts
- Administrative costs and revenues

**Three components:**

- Descriptive study of implementation
- Outcome study identifying causal effects
- Benefit-cost study



# Additional Areas of Evaluation

- Potential mitigating effects of increased education, prevention, and intervention
- Stimulation of research
- Improved technologies
- School achievement

Next report to the legislature: September 2017

WA State Institute for Public Policy (<http://wsipp.wa.gov>)



# What Has Gone Well

- Collaboration among agencies
- Deliberation in developing systems, use of consultants
- Strong public safety considerations
- Stakeholder involvement
- Allocation of resources for education, prevention, treatment
- After a slow start, education efforts and media campaign



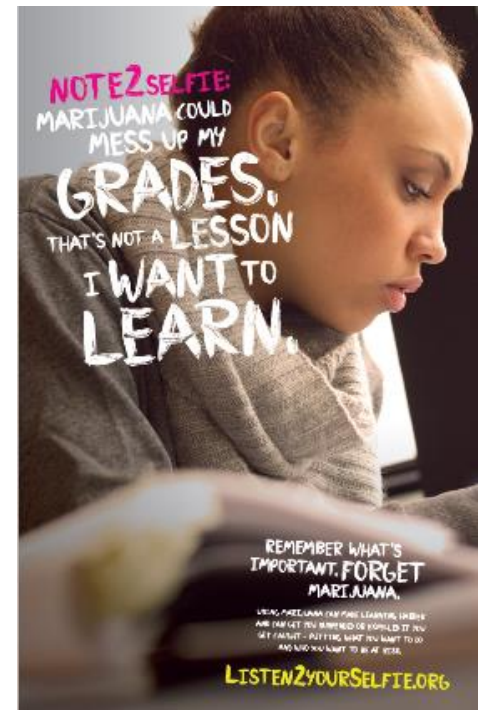
# Examples of Funded Activities

## DSHS – Substance abuse prevention and treatment

- Increase in youth treatment services
- Increased support for and expansion of community- and school-based services
- Grants for community-based services for prevention
- Training in Life Skills and other prevention and treatment programs
- Tribal Prevention and Treatment grants

## DOH

- Media-based educational campaigns
  - Parents and other adult influencers
  - Youth
- Marijuana and Tobacco community grants
  - General population
  - Priority populations (African American, Latino/Hispanic, Asian/Pacific Islander, American Indian/Alaska Native, and LGBTQT)
- Marijuana Hotline
- Tobacco cessation services





# Challenges

- Variety of edibles developed
- Lack of protocols for pesticide testing
- Number of license applications
- Impact on state agencies
- On-going requests for changes via legislation
- Loud opposition from medical and illicit markets
- Unregulated medical market until 2016
- Regulation ahead of the science



# What We Would Do Differently

- Limit types of edibles
- Stricter advertising by legislation
- Clearer packaging and labeling guidelines
- Earlier public education efforts



# Resources

- Start Talking Now – [www.StartTalkingNow.org](http://www.StartTalkingNow.org)
- Athena Forum – [www.theathenaforum.org](http://www.theathenaforum.org)
- University of Washington Alcohol and Drug Abuse Institute – [www.LearnAboutMarijuanaWA.org](http://www.LearnAboutMarijuanaWA.org)
- Healthy Youth Survey – [www.askhys.net](http://www.askhys.net)
- WA State Liquor and Cannabis Board – <https://lcb.wa.gov>
- WA State Department of Health – [www.doh.wa.gov](http://www.doh.wa.gov)
- WA State Division of Behavioral Health and Recovery – [www.dshs.wa.gov/bhsia/division-behavioral-health-and-recovery](http://www.dshs.wa.gov/bhsia/division-behavioral-health-and-recovery)



# Washington State Liquor and Cannabis Board

# Thank You!

## Contact Information

Mary Segawa

360-664-1771

[mary.segawa@lcb.wa.gov](mailto:mary.segawa@lcb.wa.gov)