



## Snohomish County District Court

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**Mental Health Therapeutic Court**

Elizabeth Fraser, *Judge*

### **Snohomish County District Court Mental Health Therapeutic Court Medical Cannabis Policy**

*Adopted October 24, 2022*

#### **It is the policy of the Court:**

Any drug use is discouraged. The court recognizes that, in some cases, medical cannabis is prescribed for certain conditions when other forms of treatment have not been successful. Other drugs, including cannabis, have been known to cause negative effects on mental health, especially when mixed with other prescribed medications. In order for the court to consider a person on medical cannabis for court services, the documentation listed below will need to be collected.

#### **Procedure for Processing the Request for Medical Cannabis Use**

To be considered for approved use of medical cannabis during participation in Mental Health Court (MHC), the following documentation must be collected:

1. The court must have a written recommendation for cannabis use from a fully credentialed doctor, preferably the primary medical physician who is treating the medical condition rather than a provider from a medical cannabis clinic. The court needs to know the cannabis recommender's name and contact information and a release of information must be signed allowing communication between the court and the recommender.
2. The recommendation must state the precise medical condition the medical cannabis is recommended to treat, as well as information specifying all other methods of treatment that have been attempted. The recommendation must also state why other methods of treatment would not be as successful as medical cannabis. SCDC MHC will only accept medical cannabis use in patients with a diagnosis that falls into those listed in RCW69.51A.005.
3. The defendant will need to specifically provide information from the primary doctor as to whether marinol, a synthetic cannabis was previously prescribed, and whether medical cannabis is the only option.

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4. The specific dose or use information outlined by the doctor recommending cannabis use must be specified. A therapeutic range for UA testing purposes must be provided.

5. A statement from the prescriber, indicating that he or she is aware of any mental health and substance use disorder issues, must be included. This is important because the court wants to make sure that all medical, mental health and substance use disorder providers are communicating with each other so that if there are negative effects on mental health or with medications, everyone will know.

6. Letters from mental health and substance use disorder treatment providers indicating that they are aware of the medical cannabis use, that they approve of the use, and have considered the use of medical cannabis when making their own treatment plans must also be included.

Once the appropriate documentation is obtained, the MHC team will review it to assess if it meets the above standards and allow the participant or applicant to continue in the program while using prescribed cannabis. If the individual is unable to acquire necessary documentation, they will be expected to follow the abstinence requirement and the individual may choose to continue in MHC or terminate from the program. At the beginning of a participant's engagement in MHC, the court will monitor for declining THC amounts by urinalysis to allow for a period of detoxing from cannabis.

#### **Substance Use Monitoring While in Mental Health Court:**

Defendants are subject to regular urinalysis testing as part of their MHC participation to determine if there are illegal drugs in their systems. This includes testing for cannabis. Tests can determine the presence of cannabis as well as the amount of cannabis in the system. These amounts can be compared from test to test to determine if cannabis use is increasing or decreasing. The court will use the information received from the medical prescriber to identify the appropriate level for treating the defendant's medical condition. If the levels are above the recommended levels and/or intermittently are beyond the designated limits, it will be up to the court to determine what action is taken.

