

ORIGINAL

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE COMMISSION

DOCKET NUMBER# 99-11-A-1060MD

In Re the Petition of:  
ROBERT KILLIAN, MD,  
  
Petitioner.

FINAL ORDER ON PETITION FOR  
INCLUSION OF CROHN'S  
DISEASE AS TERMINAL OR  
DEBILITATING CONDITION  
UNDER RCW 69.51A

THIS MATTER came before the Medical Quality Assurance Commission on November 5, 1999, at the Seattle Airport Hilton, SeaTac, Washington, on the petition of Robert Killian, MD, concerning the inclusion of Crohn's disease as a terminal or debilitating medical condition under RCW 69.51A. The Commission, having considered the petition and the record in this matter, now issues the following:

**Section 1: FINDINGS OF FACT**

1.1 On May 19, 1999, the Petitioner, Robert Killian, MD, filed a petition with the Medical Quality Assurance Commission ("Commission") requesting that, pursuant to RCW 69.51A.070, the Commission include Crohn's disease as a "terminal or debilitating medical condition" under RCW 69.51A.010(4)(d).

1.2 On September 24, 1999, at the Seattle Airport Hilton, SeaTac Washington, a public hearing was held before a panel of the Commission. The Petitioner submitted supporting documentation into the record. Testimony was taken from patients with Crohn's disease and physicians with experience in gastroenterology

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11/5/1999

1.3 On November 5, 1999, during its open business meeting, the Medical Quality Assurance Commission considered the record of the public hearing held on September 24, 1999, and made the determinations herein.

1.4 There appear to be no clinical studies concerning the benefits of using marijuana in the treatment of patients with Crohn's disease. Anecdotal information, however, suggests that medical use of marijuana may be beneficial in reducing debilitating symptoms experienced by patients with Crohn's disease that are unrelieved by standard medical treatments and medications.

**Section 2: CONCLUSIONS OF LAW**

2.1 The Commission has jurisdiction over this matter pursuant to RCW 69.51A.070.

2.2 The Commission has determined that Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications constitutes a "terminal or debilitating medical condition" within the meaning of RCW 69.51A.010(4).

**Section 3: ORDER**

3.1 Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications constitutes a "terminal or debilitating medical condition" within the meaning of RCW 69.51A.010(4).

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**Section 4: NOTICE TO PARTIES**

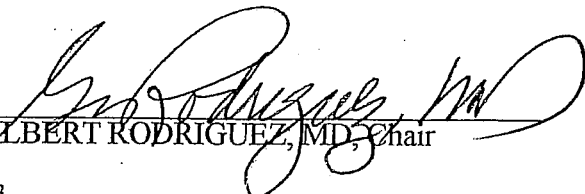
As provided in RCW 34.05.461(3), RCW 34.05.470, and WAC 246-11-580 either party may file a petition for reconsideration. The petition must be filed with the Adjudicative Clerk Office, 1107 Eastside Street, PO Box 47879, Olympia WA 98504-7879, within ten (10) days of service of this Order. The petition must state the specific grounds upon which reconsideration is requested and the relief requested. The petition for reconsideration shall not stay the effectiveness of this Order. The petition for reconsideration is deemed to have been denied twenty (20) days after the petition is filed if the Commission has not acted on the petition or served written notice of the date by which action will be taken on the petition.

"Filing" means actual receipt of the document by the Adjudicative Clerk Office, RCW 34.05.010(6) and WAC 246-11-080. This Order was "served" upon you on the day it was deposited in the United States mail. RCW 34.05.010(18).

Proceedings for judicial review may be instituted by filing a petition in the Superior Court in accord with the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review must be filed within thirty (30) days after service of this Order, as provided by RCW 34.05.542.

DATED this 5<sup>th</sup> day of November, 1999.

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ASSURANCE COMMISSION

  
GILBERT RODRIGUEZ, MD, Chair