STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
Residential Care Services • P.O. Box 45600 • Olympia, Washington 98504

June 25, 2026

HCLA: NH #2026-026
Cannabis Guidance for Long-Term Care Facilities and Guidance Regarding Substitute House Bill 2152 (Ryan's Law) for Nursing Homes

Dear Nursing Facility/Home Administrator:

This memorandum serves a dual purpose for Washington State Nursing Homes (NH). It reissues standing RCS cannabis guidance originally published in April 2015, which passed its administrative retention period but remains unchanged. It also provides new, mandatory guidance to ensure compliance with Substitute House Bill (SHB) 2152 (Ryan's Law), passed in March 2026.

In the past, providers have expressed confusion about cannabis products, also known as marijuana, because the state and federal laws around its use are conflicting. How these laws affect the residents in your home can be even more confusing.

The use of medical and recreational cannabis is still illegal under federal regulation. Consequently, federal funds such as Medicaid, cannot be used directly or indirectly for activities or expenses related to the use of cannabis.

Since RCS receives federal funding, we are unable to issue regulatory guidance specific to cannabis use. RCS does recognize that more and more residents are accessing cannabis through dispensaries and are frequently using it to treat the symptoms of disease. The Department of Health (DOH) provides all state residents guidance around the use of cannabis for both medicinal and recreational purposes.

At this time, RCS will not cite facilities for allowing residents to use cannabis as long as providers are ensuring residents are safe and they have clear policies in place, so staff and residents know what is expected.

Part I: Standing Guidance for General Cannabis Use

RCS encourages providers to develop their policies on cannabis even if it is not a current issue in their home(s). Doing so will ensure current and new residents are aware of the policy. When developing policies and procedures around cannabis use, please consider the following points:

- Residents who wish to use cannabis in smoked form need to be assessed in a manner similar to tobacco use. Please refer to applicable chapters of Washington Administrative Code (WAC) regarding resident safety and smoking.

- Cannabis, like any other substance that can be harmful, must be kept out of the reach of residents who might endanger themselves with it. Please refer to the applicable WAC sections that address the storage of medication and chemicals.
- Keep in mind that a person under the influence of cannabis may require additional supervision.
- If a person is using cannabis products, the details of how the person receives it, uses it and is supervised, must be documented in their Comprehensive Plan of Care.

Part II: New Guidance for HB 2152 (Ryan's Law)

Ryan's Law (SHB 2152) takes effect on June 11, 2026, and permits the medical use of cannabis by qualifying terminally ill patients in hospitals, NHs, and hospice care centers.

By January 1, 2027, NHs licensed under Chapter 18.51 RCW must fully implement policies and procedures that permit and operationalize use of medical cannabis, by qualifying patients.

Civil liability, criminal liability, or professional disciplinary action do not result from participation in good faith compliance with Ryan's Law.

At a minimum, facility cannabis policies **must** incorporate the following elements:

- Prohibit smoking or vaping as a method of use, even if smoking or vaping is the qualifying patient's preferred and routine method of use;
- Require the qualifying patient's medical use of cannabis to be included in the patient's medical records;
- Require a qualifying patient with a terminal condition, as defined in RCW 70.122.020, to provide a copy of the patient's valid authorization;
- Require a qualifying patient or a qualifying patient's designated provider to be responsible for acquiring, retrieving, administering, and removing medical cannabis;
- Require medical cannabis to be stored securely at all times in a locked container in the qualifying patient's room, other designated area, or with the qualifying patient's designated provider;
- Prohibit health care professionals and facility staff, including, but not limited to, physicians, nurses, and pharmacists, from administering medical cannabis or retrieving medical cannabis from storage;
- Prohibit sharing medical cannabis between patients and visitors; *and*
- Require all remaining medical cannabis be removed by the qualifying patient or qualifying patient's designated provider upon patient discharge. If a qualifying patient is unable to remove the medical cannabis and does not have a designated provider that is available to remove the medical cannabis, the product shall be disposed of in accordance with the health care facility's policy and procedure governing medical waste.

Exemptions

- NHs operated by a residential habilitation center under RCW 71A.20.010 are exempt from this mandate;

- Compliance with Ryan's Law is not a condition for obtaining, retaining, or renewing a NH license; *and*
- A facility may immediately suspend compliance with Ryan's Law if a federal regulatory agency initiates an enforcement action or issues a rule or other notification that expressly prohibits the medical use of cannabis in NHs.

Please note: Ryan's Law takes effect on June 11, 2026, with mandatory facility compliance beginning **January 1, 2027**.

State and federal laws related to both medical and recreational cannabis use are changing rapidly; therefore, information in this document must be supplemented with consideration of current rule, law, and code. Facilities are responsible for keeping abreast of new developments in this area. To follow the latest development on cannabis laws as they apply to both medicinal and recreational use, please refer to the Department of Health Website at: Medical Cannabis | Washington State Department of Health.

In addition, NHs must adhere to all applicable state and federal laws and rules, including the safety and quality standards mandated by the Centers for Medicare & Medicaid Services (CMS).

As always, thank you for the care you provide to the vulnerable adults in your facilities. If you have any questions, please contact your field manager or the Policy Unit at rcspolicy@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

DSHS: "*Partnering with People"*

Related References: SHB 2152 (Ryan's Law), Chapter 18.51 RCW, RCW 70.122.020, RCW 71A.20.010, DOH: http://www.dho.wa.gov/YouandYourFamily/Marijuana