R383-3 Medical Cannabis Cards and R383-4 Qualified Medical Providers and Qualified Medical Provider Proxies are being repealed. They are being combined with repeal and reenacted R383-2. The registration and renewal processes are almost identical across all registration types. As a result, R383-3 and R383-4 are no longer needed. R383-10 State Central Patient Portal is being repealed as that aspect of the program was repealed in the 2025 legislative session.

R383. Health and Human Services, Center for Medical Cannabis.
R383-1. Definitions.
R383-1-1. Authority and Purpose.

[~~Pursuant to Subsection 26B-1-202(1), this rule defines terms used in Title R383.~~]

(1) Subsection 26B-1-202(1) authorizes this rule.

(2) This rule establishes the definitions used in Title R383.

R383-1-2. Definitions.

(1) The definitions in Section 26B-4-201 and this rule apply to [~~this rule. In addition, the following applies to this rule~~]Title R383.

[~~(2) "Card" means any type of medical cannabis card or registration card, whichever applies, authorized under Title 26B, Chapter 4, Part 2 Cannabinoid Research and Medical Cannabis.~~]

[~~(3)~~](2) "Department" means the Utah Department of Health and Human Services.

[~~(4)~~](3) "EVS" means the electronic verification system.

[~~(5) "Fundamentals of medical cannabis coursework" means a course, or combination of courses, with content that addresses the following subjects:~~

~~(a) the endocannabinoid system and phytocannabinoids;~~

~~(b) general guidance and recommendations for medical cannabis; and~~

~~(c) history of cannabis, dosing forms, considerations, drug interactions, adverse reactions, contraindications, such as breastfeeding and pregnancy, and toxicology.~~

~~(6) "General medical cannabis coursework" means a course or combination of courses with content that addresses medical cannabis, which may include medical cannabis law or fundamentals of medical cannabis coursework.~~]

[~~(7)~~](4) "ICS" means the inventory control system.

[~~(8) "Institutional review board" or "IRB" means the same term as defined in Subsection 26B-4-212(1)(f).~~

~~(9) "Law enforcement personnel" means law enforcement personnel with access to UCJIS.~~

~~(10) "Mail" means to send through mail services, email, or hand-delivery.~~

~~(11) "Medical cannabis law coursework" means a course, or combination of courses, with content that addresses Title 26B, Chapter 4, Part 2 Cannabinoid Research and Medical Cannabis and other state and federal laws relating to medical cannabis; that includes, at a minimum, a review of the following:~~

~~(a) qualifying health conditions for which a patient may lawfully use medical cannabis for medicinal purposes in Utah;~~

~~(b) forms of medical cannabis that are allowed and prohibited under Utah law;~~

~~(c) limits of the quantities of unprocessed cannabis and cannabis products in a medicinal form that may be dispensed in Utah;~~

~~(d) requirements to initially register, and renew a registration, as a QMP;~~

~~(e) limits to the number of active medical cannabis recommendations that an RMP can make at any given time;~~

~~(f) description of what an RMP must document in a patient's record before recommending medical cannabis;~~

~~(g) information required from an RMP when writing a medical cannabis recommendation, and the option to make a recommendation without specifying a dosage form and dosing guidelines;~~

~~(h) a PMP's role in determining the appropriate medical cannabis dosage form and dosing guidelines when an RMP chooses to recommend without specifying a dosage form and dosing guidelines;~~

~~(i) limits on advertising by an RMP;~~

~~(j) types of medical cannabis cards;~~

~~(k) regulations controlling the distribution of products by medical cannabis pharmacies;~~

~~(l) partial fill orders;~~

~~(m) the role of the Compassionate Use Board;~~

~~(n) that all medical cannabis purchased at medical cannabis pharmacies in Utah shall be cultivated at cannabis cultivation facilities, processed at cannabis processing facilities, and that samples be tested at independent cannabis testing laboratories; that is licensed in Utah and operate within Utah's medical cannabis system;~~

~~(o) the conditions of legal possession of medical cannabis under Utah law;~~

~~(p) the legal status of medical and recreational marijuana in states surrounding Utah and under federal law;~~

~~(q) authority to change dosing guidelines in a medical cannabis recommendation;~~

~~(r) home delivery of medical cannabis; and~~

~~(s) purpose of the state central patient portal~~].

(5) "Medical cannabis card" means any type of medical cannabis card or registration card, whichever applies,

authorized under Title 26B, Chapter 4, Part 2 Cannabinoid Research and Medical Cannabis.

[~~(12)~~](6) "Pharmacy agent" means a medical cannabis pharmacy agent.

[~~(13)~~](7) "PMP" means a medical cannabis pharmacy medical provider.

[~~(14) "QMP" means a qualified medical provider.~~

~~(15) "QMP Proxy" or "Qualified Medical Provider Proxy" means an individual that has been given authority to enter certifications and recommendations for a QMP as described in Subsection 26B-4-202(3).~~]

[~~(16)~~](8) "RMP" means a recommending medical provider.

(9) "RMP proxy" or "recommending medical provider proxy" means an individual who has been given authority to enter certifications and recommendations for an RMP as described in Subsection 26B-4-202(3).

[~~(17)~~](10) "Safeguard" means to maintain the confidentiality of the information accessed and not use, release, publish, disclose, or otherwise make available to any other person not authorized to access the information, for any purpose other than those specifically authorized or permitted by applicable law.

[~~(18) "State agency employee" means an employee of the Utah Department of Health and Human Services, Utah Department of Agriculture and Food, Division of Technology Services, and the Utah Department of Commerce, Division of Professional Licensing.~~

~~(19) "Substantial evidence" or "substantial clinical data" means evidence that two or more clinical studies support. The clinical studies shall meet the following criteria:~~

~~(a) were conducted under a study approved by an IRB;~~

~~(b) were conducted or approved by the federal government;~~

~~(c) are cited by the Department in educational materials posted on its website; or~~

~~(d) are of reasonable scientific rigor as determined by the Department.~~

~~(20) "UCJIS" means the Utah Criminal Justice Information System.~~

~~(21) "UDAF" means the Utah Department of Agriculture and Food.~~]

[~~(22)~~](11) "Utah resident" means an individual who has established a domicile in Utah.

KEY: medical cannabis, marijuana
Date of Last Change: January 1, 2024
Authorizing, and Implemented or Interpreted Law: 26B-1-213(1); 26B-4; 63G-3

[~~**R383. Health and Human Services, Center for Medical Cannabis.**~~
~~**R383-2. Electronic Verification System and Inventory Control System.**~~
~~**R383-2-1. Authority and Purpose.**~~

~~(1) Subsections 26B-1-202(1) and 26B-4-202(6) authorize this rule.~~

~~(2) This rule establishes EVS and ICS access limitations and standards and confidentiality requirements.~~

~~**R383-2-2. Access Limitations and Standards.**~~

~~(1) An individual shall request access to the data in the EVS and ICS by creating an account to begin an EVS or ICS application process.~~

~~(2) The following individual may access information in the EVS about themself, or another cardholder for whom they are a guardian or caregiver, to the extent allowed in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis or Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies:~~

~~(a) a medical cannabis patient cardholder;~~

~~(b) a medical cannabis guardian cardholder; and~~

~~(c) a medical cannabis caregiver cardholder.~~

~~(3) The Department shall grant EVS access to the extent allowed in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis or Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies, and this rule to the following individuals:~~

~~(a) a QMP;~~

~~(b) a PMP;~~

~~(c) a QMP Proxy;~~

~~(d) a pharmacy agent;~~

~~(e) a state agency employee; or~~

~~(f) law enforcement personnel.~~

~~(4) The type of EVS and ICS access granted by the Department shall depend on the type of card or license issued.~~

~~**R383-2-3. Confidentiality Requirements.**~~

~~(1) A person authorized to access information in the EVS and the ICS shall access only the minimum amount of information necessary to perform an authorized function specified in Chapter 26B, Chapter 4, Part 2 Cannabinoid Research and Medical Cannabis or Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies, Rule R68-27, Cannabis Cultivation, and this rule.~~

~~(2) A person authorized to access information in the EVS and the ICS shall safeguard all information stored in those systems, including specific information about medical cannabis cardholders.~~

~~(3) A person authorized to access EVS information and the ICS shall safeguard their login credentials and not share them with anyone.~~

~~(4) A person authorized to access the EVS or ICS who fails to observe the confidentiality requirement of this rule may lose access to the EVS and ICS and may be subject to the penalties provided in Section 26B-4-202.~~]

R383 Health and Human Services Center for Medical Cannabis.

R383-2. Electronic Verification System and Inventory Control System Registration, Limitations, and Confidentiality.

R383-2-1. Authority and Purpose.

(1) Subsection 26B-1-202(1) and Subsection 26B-4-202(6) authorize this rule.

(2) This rule establishes medical cannabis initial and renewal registration procedures for a:

(a) caregiver;

(b) guardian;

(c) patient who is a:

(i) Utah resident; or

(ii) nonresident;

(d) PMP;

(e) RMP; and

(f) RMP proxy.

R383-2-2. Definitions

The terms used in this rule are defined in Section 26B-4-201 and Title R383-1 Definitions.

R383-2-3. System Access Standards

(1) An individual shall request access to the data in the:

(a) EVS by completing procedures listed in Section R383-2-5; and

(b) ICS by completing registration as prescribed by the Utah Department of Agriculture and Food.

(2) The department shall grant limited EVS access according to:

(a) the type of registration in Section R383-2-1; or

(b) for pharmacy agents as established in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.

(3) The department shall grant access to the extent allowed in:

(a) Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis;

(b) Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies; and

(c) this rule.

R383-2-4. Confidentiality Requirements.

(1) A person authorized to access information in the EVS or ICS shall only access the minimum amount of information necessary to perform an authorized function as specified in:

(a) Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis;

(b) Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies; and

(c) this rule.

(2) A person authorized to access information in the EVS or ICS shall safeguard any information stored in the system.

(3) A person authorized to access the EVS and ICS shall safeguard login credentials and not share those credentials with anyone.

(4) A person authorized to access the EVS and ICS who fails to observe the confidentiality requirements of this rule may:

(a) be subject to the penalties listed in Section 26B-4-202; and

(b) lose access to the EVS or ICS.

R383-2-5. EVS Registration Procedures.

(1) The registration procedures established in this section govern the registrations listed in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.

(2) Each registrant shall apply using the EVS application or request a paper application from the department.

(3) The department shall provide the information described in 26B-4-213(9):

(a) electronically to each medical cannabis patient, guardian, or caregiver registrant; and

(b) publicly on the department website.

(4) Each registrant shall maintain a current email and mailing address with the department.

(5)(a) Renewal time periods shall follow the stipulations in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.

(b) The department shall send renewal notices to the registrant's most recent email in the department's EVS database.

(b)(i) The department shall send a renewal notice to the registrant at least 30 days before the registration expiration date.

(i) For a nonresident patient registrant, the department shall send a renewal notice at least five days before the expiration date.

(c) A renewal notice shall advise a registrant that a registration automatically expires on the expiration date and is no longer valid.

(d) If a registration expires, the individual with the expired registration may submit a renewal registration at any time.

(e) A renewal notice shall include instructions for a registrant to renew their registration through the department's website.

(6)(a) The department shall provide written notice of revocation to a registrant who submits an initial or renewal registration if the department determines that the registrant does not meet the requirements.

(b) The department shall send the written notice of revocation to the registrant's most recent email address in the EVS database.

(c) The department may reinstate the registrant's registration if the registrant corrects each deficiency and otherwise meets the registration requirements.

KEY: administrative law, government hearings
Date of Last Change: 2025
Notice of Continuation:
Authorizing, and Implemented or Interpreted Law: 26B-4-201(1); 26B-4-202(6).

~~[**R383. Health and Human Services, Center for Medical Cannabis.**~~
~~**R383-6. Pharmacy Medical Providers.**~~
~~**R383-6-1. Authority and Purpose.**~~

~~(1) Subsection 26B-1-202(1) authorizes this rule.~~

~~(2) This rule establishes PMP application procedures and PMP continuing education requirements.~~

~~**R383-6-2. Application Procedures.**~~

~~(1) The application procedures established in this section govern an application for initial issuance of a PMP registration card, under Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis, and by Department rule.~~

~~(2) Each applicant shall apply upon forms available in the EVS, from the Department.~~

~~(3) The Department may issue a PMP registration card only if an applicant meets the requirements, established under Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis, and by Department rule.~~

~~(4)(a) The Department shall provide written notice of denial to an applicant who submits an incomplete application or if the Department determines that the applicant does not meet the requirements.~~

~~(b) The Department shall not accept the application unless the applicant corrects the deficiencies within the time period specified in the notice and otherwise meets all requirements.~~

~~(6) The Department shall provide written notices of denial, or incomplete application, to the applicant's last email address shown in the Department's EVS database unless the applicant has requested to be notified by regular mail.~~

~~(7) Each applicant shall maintain a current email address with the Department. Notice sent to the last email address on file with the Department constitutes legal notice unless the applicant has requested to be notified by regular mail.~~

~~**R383-6-3. Renewal Application Procedures for Pharmacy Medical Providers.**~~

~~(1) Renewal application procedures established in this rule, shall govern an application for a PMP registration card.~~

~~(2) Each PMP registration card applicant shall apply upon a renewal application form available from the Department.~~

~~(3) The Department may issue a PMP registration card to an applicant who submits a completed renewal application if the Department determines that the applicant meets the requirements.~~

~~(4) The Department shall provide written notice of denial to an applicant who submits a renewal application that the Department determines does not meet the requirements.~~

~~(5) The Department shall provide the applicant a written notice of an incomplete application and inform the applicant that their application will be denied unless the applicant corrects the deficiencies within the time period specified in the notice, and otherwise meets all requirements.~~

~~(6)(a) The Department shall send a renewal notice to each cardholder at least 30 days before the expiration date shown on the PMP registration card.~~

~~(b) The notice shall include:~~

~~(i) directions for the PMP on how to renew their registration card, in the EVS on the Department's website; and~~

~~(ii) include information advising each cardholder that the PMP registration card automatically expires on the expired and is no longer valid.~~

~~(7) The Department shall send renewal notices to the cardholder's last email shown in the Department's EVS database.~~

~~(8) Each cardholder shall maintain a current email address and mailing address with the Department. Notice sent to the current email address on file with the Department constitutes legal notice, unless the applicant has requested to be notified by regular mail.~~

~~(10) If an individual's PMP registration card expires, the individual may submit a renewal application at any time, regardless of the length of time passed since the expiration of the card.~~

~~**R383-6-4. Continuing Education Requirement.**~~

~~(1) An applicant for registration as a PMP shall verify the completion of four hours of continuing education. Once registered as a PMP, an individual shall complete an additional four hours of continuing education every two years.~~

~~(2) To renew a PMP registration card, an individual shall::~~

~~(a) complete continuing medical education coursework:~~

~~(i) approved by the Department; or~~

~~(ii) provided by an organization accredited through the Accreditation Council for Continuing Medical Education, Accreditation Council for Pharmacy Education, or the American Association of Nurse Practitioners.~~

~~(b) pass a completion test with a passing score, as determined by the course provider, to verify comprehension of course content; and~~

~~(c) earn a certificate of completion.~~

~~(3) Initial registration as a PMP shall require at least four hours of continuing education, that shall include at a minimum:~~

~~(a) medical cannabis law coursework; and~~

~~(b) fundamentals of medical cannabis coursework.~~

~~(4) A PMP shall renew a registration every two years, after completing at least four hours of continuing education in:~~

~~(a) medical cannabis law coursework; and~~

~~(b) fundamentals of medical cannabis coursework.~~

~~(5) The PMP shall:~~

~~(a) submit a report of their continuing education coursework;~~

~~(b) an application for registering as a PMP; and~~

~~(c) a certificate of completion for coursework completed after issuance of the most recent PMP registration.~~

~~(6)(a) A PMP application that does not include the items described under Subsection (5) is considered incomplete.~~

~~(b) The Department may not process a PMP's application until the report is completed.~~

~~**KEY: medial cannabis, pharmacy medical providers, marijuana**~~
~~**Date of Last Change: October 23, 2023**~~
~~**Authorizing, and Implemented or Interpreted Law: 63G-3; 26B-1-202(1)**~~]

R383. Health and Human Services, Center for Medical Cannabis.
R383-6. Pharmacy Medical Provider Continuing Education Requirements
R383-6-1. Authority and Purpose.

(1) Subsection 26B-1-202(1) authorizes this rule.

(2) This rule establishes PMP continuing education requirements.

R383-6-2. Definitions

The terms used in this rule are defined in Section 26B-4-201 and Title R383-1 Definitions.

R383-6-3. Continuing Education Requirements.

(1) A person registering as a PMP shall complete continuing education:

(a) as outlined in Subsection 26B-4-219(3);

(b) that includes a course containing at minimum 0.5 hours of education covering current Utah law applicable to the practice of a pharmacy medical provider; and

(c) related to cannabis offered from:

(i) the department;

(ii) an accredited institution of higher education; or

(iii) accredited through:

(A) Accreditation Council for Continuing Medical Education;

(B) Accreditation Council for Pharmacy Education; or

(C) American Association of Nurse Practitioners.

KEY: medial cannabis, pharmacy medical providers, marijuana
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 63G-3; 26B-1-202(1)

R383. Health and Human Services, Center for Medical Cannabis.
R383-13. Expedited Final Review of Compassionate Use Petitions.
R383-13-1. Authority and Purpose.

[~~This rule establishes the process for expedited final review of petitions to the Compassionate Use Board consistent with Subsection 26B-1-421(6).~~]

(1) Subsections 26B-1-202(1) and 26B-1-421(6) authorize this rule.

(2) This rule establishes a process and criteria for a petition to the Board to qualify for expedited final review and approval or denial by the department.

[~~R383-13-2. Authority.~~

~~Pursuant to Subsections 26B-1-202(1) and 26B-1-421(6), this rule establishes a process and criteria for a petition to the Board to qualify for expedited final review and approval or denial by the Department.~~]

R383-13-2. Definitions

The terms used in this rule are defined in Section 26B-4-201 and Title R383-1 Definitions.

R383-13-3. Availability of Expedited Review.

(1) To qualify for expedited review by the [~~D~~]department, an individual submitting the petition shall meet the following criteria:

(a) be diagnosed with a terminal illness;

(b) have a life expectancy of six months or less;

(c) present symptoms not adequately managed with standard therapies that may reasonably be expected to be alleviated by medical cannabis; and

(d) have a recommendation from a [~~QMP~~]RMP who is directly and regularly involved in the individual's medical care.

R383-13-4. Expedited Review Procedure.

(1) Each individual submitting a petition for expedited review by the [~~D~~]department shall complete a form available from the [~~D~~]department.

(2) The Compassionate Use Board shall not review a petition until the form is complete and any supporting documentation requested by the board is received.

(3) Within five business days after receiving a complete petition for expedited review, the [~~D~~]department shall review the petition and either approve or deny the request for expedited review.

(4) If the [~~D~~]department approves the petition, it shall issue a medical cannabis card to the applicant.

(5) If the [~~D~~]department denies the petition for expedited review, it shall:

(a) Send notice of the denial to the applicant; and

(b) Send the petition for compassionate use to the board for review on its regular review schedule.

KEY: medical cannabis, compassionate use board, medical marijuana
Date of Last Change: October 23, 2023
Authorizing, and Implemented or Interpreted Law: 63G-3; 26B-1; 26B-1-213

R383. Health and Human Services, Center for Medical Cannabis.
R383-16. Targeted Marketing Requirements.
R383-16-1. Authority and Purpose.

(1) Subsection 26B-1-202(1) authorizes this rule.

(2) This rule establishes targeted marketing standards for [~~qualified~~]recommending medical providers.

R383-16-2. Definitions

The terms used in this rule are defined in Section 26B-4-201 and Title R383-1 Definitions.

R383-16-[~~2~~]3. Targeted Marketing Standards for [~~Qualified~~]Recommending Medical Providers and Affiliated Medical Offices.

(1) An RMP [~~qualified medical provider~~] may engage in targeted marketing or affiliate with medical offices that engage in targeted marketing, as defined in Section[~~s~~] 26B-4-201[~~, and 26B-4-204,~~] for advertising medical cannabis recommendation services.

(2) Targeted marketing that[~~, makes a statement relating to~~]states the side effects,[~~, consequences~~]outcomes, contraindications, or effectiveness of medical cannabis shall accurately reflect the information.

(3) Targeted marketing may not:

(a) be false or misleading or otherwise lack a fair balance, including:

(i) guarantee that a potential patient will receive a medical cannabis recommendation;

[~~(i)~~](ii) claiming that cannabis cures any medical condition;

[~~(ii)~~](iii) containing favorable information or an opinion about cannabis previously regarded as valid but more recently invalidated by contrary and more credible information;

[~~(iii)~~](iv) containing favorable information or a conclusion from a study that is inadequate in design, scope, or conduct to furnish significant support for the information or conclusion;

[~~(iv)~~](v) containing any health or other claim that is not substantiated by evidence or substantial clinical data;

[~~(v)~~](vi) representing or suggesting that medical cannabis use is more effective or more useful in a broader range of conditions or safer than other drugs or treatments unless the claim is accompanied by evidence or clinical data;

[~~(vi)~~](vii) using data favorable to a medical cannabis product derived from patients treated with a different product or dosages different from those legal in Utah;

[~~(vii)~~](viii) using a quote or paraphrase out of context or without citing conflicting information from the same source to convey a false or misleading idea; or

[~~(viii)~~](ix) using a study on individuals without a qualifying medical condition without disclosing that the subjects were not suffering from a qualifying medical condition;

(b) promote excessive consumption;

(c) have any term, statement, design representation, picture, or illustration that is associated with the recreational use of cannabis;

(d) appeal to a child or minor;

(e) use terms related to recreational cannabis, including: "420," "bake," "blaze," "blunt," "bong," "bud," "budtender," "combust," "cookies," "dab," "dank," "doobie," "euphoria," "frost," "ganja," "grass," "hash," "haze," "high," "joint," "kush," "Mary Jane," "pot," "rec," "reefer," "smoke," "stoned," "toke," or "weed";

(f) use slang or phrasing associated with the recreational use of cannabis;

(g) use an image bearing resemblance to a cartoon character or fictional character whose target audience is children or minors;

(h) use an image of a celebrity or other person whose target audience is children or minors;

(i) encourage, promote, or otherwise create an impression that the recreational use of cannabis is legal or acceptable or that the recreational use of cannabis has potential health or therapeutic benefits;

(j) contain content that is obscene or indecent;

(k) include information and images related to tobacco paraphernalia as defined in Section 76-[~~10~~]9-101; or

(l) violate any other laws.

(4) The [~~Department of Health and Human Services~~]department may approve terms or images otherwise prohibited if the targeted marketing does not promote the recreational use of cannabis.

KEY: medical cannabis,[~~qualified~~]recommending medical provider, RMP, medical marijuana
Date of Last Change: December 26, 2024
Authorizing, and Implemented or Interpreted Law: 26B-1-202(1); 63G-3-201; 63G-3-301