2026 UDAF Legislative Proposals: Utah Medical Cannabis Program

Medical Cannabis Governance Structure Working Group

October 14, 2025

§4-41a-602 (Product Descriptors)

Current law correctly prohibits unapproved medical claims on product labels, but this can also prevent the use of simple, helpful terms that describe a product's potential effect and aid patient selection.

- Amend §4-41a-602 to clarify that *"the use of common terms describing a potential physiological effect, as defined by department rule, is not considered a medical claim."*
- Provide UDAF with rulemaking authority to define and approve a list of acceptable terms (e.g., Sleep, Focus, Calm, Relief).

Incentivizing Quality with GMP Certification

Create a voluntary program that rewards producers who adopt the highest manufacturing standards.

Define GMP: Add a definition to §4-41a-102 linking "GMP" to UDAF's existing authority under the **Utah Wholesome Food Act**.

Create Certification Pathway: A new section (§4-41a-204.5) allows producers to apply for GMP certification through UDAF's **established Regulatory Services program**.

Link Certification to Benefits: Amend the testing statute (§4-41a-701) to grant GMP-certified facilities:

- Flexibility for internal **Research & Development (R&D)**.
- Eligibility for a **modified final-product testing schedule**.

Streamline the Licensing Board’s Focus

The Licensing Board's time is currently dedicated to reviewing all license renewals and minor operational changes. This is inefficient for the Board, the Department, and licensees.

Amend §4-41a-201.1 to only require board action for:

- New License Applications
- Major Changes of Ownership (50%+)
- Pharmacy Location Changes
- Review of Significant or Repeated Violations

Product Terminology

The statute currently bans the word "hash" on all product labels to avoid a recreational disposition. However, "hash" is also a common technical term that accurately identifies a specific type of cannabis concentrate.

Amend §4-41a-602(2) to:

- Allow the word "hash" when used strictly as a factual descriptor of the product's manufacturing process.
- Maintain the ban on "hash" for use in brand names, logos, or other marketing that has a recreational tone.

Courier Product Handling

The statute allows couriers to hold undelivered products for up to 10 business days without specifying storage conditions, creating a significant risk to product quality and patient safety.

Amend §4-41a-1205 to require:

- Safe Storage: Mandate temperature-controlled containers during transport and storage to ensure product stability and potency.
- Tamper-Evident Storage containers: Require shipping containers to be sealed in a way that clearly shows any evidence of tampering.
- Strict Return Protocol: Establish a formal process for pharmacists to verify the integrity of any returned product before it can be restocked.

Potential Changes

- Amend §4-41a-104 - Qualified Production Enterprise Fund to allow UDAF to charge a fee on cannabis transactions that is deposited into the fund and can be used for the implementation of the cannabis and hemp programs.
- Amend §4-41a-102(27) to add more acceptable forms of ID or give UDAF rulemaking authority.
- Amend §4-41a-1106(8)) transfer the authority for establishing and verifying HIPAA and patient privacy training to the Department of Health and Human Services (DHHS).

Potential Changes

- Amend §4-41a-603 to limit the addition of other supplements to medical cannabis products.
- Amend §4-41a-201(5)(b)(ii) and §4-41a-1001(10)(c)(ii) to give the department 45-60 days to review changes of ownership over 50% rather than just 30 days.

- Amend §4-41a-1201(1)(c)(i) to remove “a payment provider that the Division of Finance approves, in consultation with the state treasurer, in accordance with Section 26-61a-603.”

Clarifications

- Amend §4-41a-1102 to explicitly state that a medical cannabis pharmacy is authorized to sell any cannabinoid product, regardless of the product's final THC concentration.
- Amend §4-41a-1005 to give UDAF back the authority to create regions and limit the ability of pharmacies to move outside of regions.
- Amend §4-41a-1101(12)(f)) to replace the term "back panel" in the statute with "cannabis fact panel."