

Utah Medical Cannabis Act Overview

Updated as of December 12, 2018



Plant 8" Tall

Inventory Control System

provides for security and tracking of cannabis and a related product from cultivation to patient use.

Patient Use

Cultivators (10-15 max)

Processors

Independent Cannabis Testing Laboratory

State Central Fill Pharmacy/Pharmacies

Electronic Verification System

Medical Cannabis Pharmacies (7-10)

Local Health Department (13+)

Qualified Medical Provider (MD, DO, APRN, or PA)

Medical Cannabis Cardholder

→ red arrows indicate regulated transportation and distribution

- - - access to state electronic verification system



MEMORANDUM

To: Physician Assistant Licensing Board
From: Richard J. Oborn, Director, Center for Medical Cannabis, Utah Department of Health
Date: Thursday, March 7, 2019
Subject: **Request for Input Regarding Utah Medical Cannabis Act Continuing Education Requirement**

Utah Code 26-61a-106 (3) (c) directs the Utah Department of Health (DOH) to consult with the Division of Occupational and Professional Licensing (DOPL) and the Physician Assistant Licensing Board regarding the development of continuing education requirements for qualified medical providers registered under the Utah Medical Cannabis Act. Once input is received, the DOH plans to draft and file administrative rules outlining the continuing education requirement. The DOH has coordinated with the Utah Medical Association to draft some course criteria that it would like to submit for the Board's review.

Qualified Medical Provider - Continuing Education Requirement

Utah Code 26-61a-106 (3) requires that an individual, as a requirement to be registered as a qualified medical provider, verify completion of four hours of continuing education. Furthermore, once registered as a qualified medical provider, an individual must complete an additional four hours of continuing education every two years as a requirement for renewal. Here is a general outline of the continuing education requirement that DOH plans to incorporate into administrative rule:

1. To meet the continuing education requirement, all courses require the following:
 - a. approval by the Utah Department of Health;
 - b. accreditation from the Accreditation Council for Continuing Medical Education (ACCME); and
 - c. a passing score on a test or quiz to verify comprehension of course content.

2. As a requirement for initial registration as a qualified medical provider, an individual must complete no fewer than:
 - a. one hour of continuing education in medical cannabis law coursework; and
 - b. three hours of continuing education in fundamentals of medical cannabis coursework.

3. As a requirement for renewal of registration as a qualified medical provider, an individual must complete no fewer than:
 - a. one hour of continuing education in medical cannabis law coursework; and

- b. three hours of continuing education in a general medical cannabis coursework.
4. “Fundamentals of medical cannabis coursework” means a course or combination of courses with content that addresses the following subjects:
 - a. 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 (breastfeeding and pregnancy), and toxicology.
 5. “General medical cannabis coursework” means a course or combination of courses with content that relates to medical cannabis.
 6. “Medical cannabis law coursework” means a course or combination of courses with content that addresses the Utah Medical Cannabis Act and other state and federal laws relating to medical cannabis.

More details regarding what DOH expects to be covered in the medical cannabis law coursework is provided in the attached documents.

Utah Medical Cannabis Law Coursework

Example of Course Outline

1. Brief Background on Cannabis Use
 - 1.1. Some definitions
 - 1.2. Medicinal vs. Recreational uses (historical)
 - 1.3. National Academy of Sciences Review
 - 1.4. Current Federal law
 - 1.5. Actions in other states
 - 1.5.1. Legal status in states surrounding Utah (ID, WY, CO, AZ, NV)

 2. History of medical cannabis in Utah
 - 2.1. CBD legislation
 - 2.1.1. Indications
 - 2.1.2. Limitations
 - 2.1.3. Requirements
 - 2.1.4. HB 3001
 - 2.1.4.1. Unique aspects
 - 2.1.4.1.1. Control of cultivation
 - 2.1.4.1.2. Control of producers/processors
 - 2.1.4.1.3. Independent Lab
 - 2.1.4.1.4. Role of pharmacists
 - 2.1.4.1.5. State Central Fill Pharmacy, Medical Cannabis Pharmacies
-
3. Utah Medical Cannabis Act
 - 3.1. Legal forms of Medical Cannabis
 - 3.1.1. Restrictions on quantity
 - 3.2. Qualifying Conditions
 - 3.2.1. Special requirements for PTSD
 - 3.2.2. Special requirements for patients under 21 years of age
 - 3.2.2.1. Role of Compassionate Use Board (conditions other than those approved in rule and all patients <21yo)
 - 3.3. Qualified Medical Provider
 - 3.3.1. Who is eligible
 - 3.3.1.1. Disciplines
 - 3.3.1.2. Controlled substance license
 - 3.3.1.3. Completed required Cannabis CE
 - 3.3.1.3.1. Initial
 - 3.3.1.3.2. Continuing
 - 3.3.2. How to register
 - 3.3.3. Limitations
 - 3.3.4. Requirement for provider-patient relationship
 - 3.3.5. How to register a patient into the EVS
 - 3.3.5.1. Medical cannabis Patient Card
 - 3.3.5.2. Medical cannabis Guardian Card
 - 3.3.5.2.1. Background check

- 3.3.5.3. Medical cannabis Caregiver Card
 - 3.3.5.3.1. Background check
- 3.3.5.4. Lost or stolen cards
- 3.3.6. How to make a recommendation for medical cannabis
 - 3.3.6.1. Optional role for pharmacist
 - 3.3.6.2. Partial Fill option
 - 3.3.6.3. Refill requirements
 - 3.3.6.4. Warnings for patients
 - 3.3.6.5. Pregnancy and Breastfeeding
- 3.3.7. Advertising
- 3.3.8. Avoiding Conflicts of Interest
- 3.3.9. Liability
- 3.4. Overview of Medical Cannabis distribution options
 - 3.4.1. Medical Cannabis Pharmacy
 - 3.4.1.1. Pharmacist role
 - 3.4.2. State Central Fill Pharmacy
 - 3.4.2.1. Pharmacist role
 - 3.4.2.2. LHD delivery options

ANSWERS TO FREQUENTLY ASKED QUESTIONS

This document provides general information about the Utah Medical Cannabis Act. It is separated into two sections: before January 2021 and after January 2021. While certain parts of the Act are highlighted below, this document is not intended to be comprehensive. For more information about cultivation and manufacturing under the Act, please contact the Utah Department of Agriculture and Food. A complete copy of HB 3001 is available on the Utah Legislature's website.¹

BEFORE JANUARY 1, 2021

1. Before January 2021, under what conditions can an individual legally possess and use medical cannabis under Utah law?

Before January 1, 2021, patients are not guilty of use or possession of medical cannabis under Utah law if, at the time of arrest:

- the individual has been diagnosed with a qualifying condition and had a pre-existing provider-patient relationship with a Utah-licensed APRN, physician, or physician assistant who believed that the individual's illness could benefit from the use in question; and
- the medical cannabis was in a medicinal dosage form² in a quantity not to exceed specified limits.³

Compliance with the Utah Medical Cannabis Act may not protect an individual from liability for violations of federal law or the laws of other states. Specific questions regarding this provision of the law are best answered by an attorney who can provide legal counsel specific to an individual's situation.

2. Which medical providers can legally recommend medical cannabis to patient?

Before January 2021, any Utah-licensed Advanced Practice Registered Nurse (APRN), Doctor of Medicine (MD), Doctor of Osteopathy (DO), or Physician Assistant (PA) who holds a controlled substance license can recommend medical cannabis treatment to a patient with a qualifying condition.

3. Where can I find a list of medical providers willing to recommend medical cannabis?

The Utah Department of Health does not currently have a list of medical providers because the system to electronically register as a qualified medical provider (QMP) has not yet been established. The registration of QMPs will likely begin in late 2019. When a QMP registers, they will have the option of listing their contact information on a website maintained by the Utah Department of Health.

¹ <https://le.utah.gov/~2018S3/bills/static/HB3001.html>

² Utah Code 26-61a-102

³ Utah Code 26-61a-502(2)(b)

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4. What if a patient's current medical provider won't recommend medical cannabis for a patient's qualifying condition?

Participation in the program as a medical provider is voluntary, so a patient may need to establish a relationship with a new medical provider in order to obtain a recommendation.

5. Where can qualifying patients purchase medical cannabis in Utah?

Currently, there are no facilities in Utah that are licensed to legally sell medical cannabis. By March 2020, the Utah Department of Health will have licensed up to seven privately-operated medical cannabis pharmacies where qualifying patients can legally purchase medical cannabis in Utah. In addition, the state central fill pharmacy will deliver medication to 13 to 18 local health department locations throughout Utah by July 2020.

6. What are the qualifying conditions?

Qualifying conditions under the Utah Medical Cannabis Act are listed below:

- HIV or acquired immune deficiency syndrome
- Alzheimer's disease
- amyotrophic lateral sclerosis
- cancer
- cachexia
- persistent nausea that is not significantly responsive to traditional treatment, except for nausea related to:
 - pregnancy
 - cannabis-induced cyclical vomiting syndrome
 - cannabinoid hyperemesis syndrome
- Crohn's disease or ulcerative colitis
- epilepsy or debilitating seizures
- multiple sclerosis or persistent and debilitating muscle spasms
- post-traumatic stress disorder (PTSD) that is being treated and monitored by a licensed health therapist,⁴ and that:
 - has been diagnosed by a healthcare provider by the Veterans Administration and documented in the patient's record; or
 - has been diagnosed or confirmed by evaluation from a psychiatrist, doctorate psychologist, a doctorate licensed clinical social worker, or a psychiatric APRN
- autism
- a terminal illness when the patient's life expectancy is less than six months
- a condition resulting in the individual receiving hospice care
- a rare condition or disease that affects less than 200,000 individuals in the U.S., as defined in federal law, and that is not adequately managed despite treatment attempts using conventional medications (other than opioids or opiates) or physical interventions
- pain lasting longer than two weeks that is not adequately managed, in the qualified medical provider's opinion, despite treatment attempts using conventional medications other than opioids or opiates or physical interventions

⁴ Utah Code 58-60-102(5)

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- a condition that the compassionate use board approves (once established) on a case-by-case basis

7. What if an individual's medical condition is not listed as a qualifying condition?

By March 2020, patients with medical conditions not listed in the law may petition the Compassionate Use Board for a medical cannabis card, which will review petitions and determine eligibility on a case-by-case basis.

8. How can a patient with PTSD legally possess medical cannabis?

To qualify, a patient with PTSD must be treated and monitored by a Utah licensed mental health therapist. Additionally, a patient's PTSD must:

- a. have been diagnosed by a healthcare provider or a mental health provider employed or contracted by the Veterans Administration and documented in the patient's record; or
- b. have been diagnosed or confirmed by evaluation by a psychiatrist, doctorate psychologist, a doctorate licensed clinical social worker, or a psychiatric APRN.

9. What forms of medical cannabis are qualifying patients allowed to use?

Medical cannabis will only be available in the following forms under the Utah Medical Cannabis Act:

- Tablet
- Capsule
- Concentrated oil
- Liquid suspension
- Transdermal preparation
- Gelatinous cube
- Unprocessed cannabis flower in a blister pack containing no more than one gram of flower pods in each individual blister
- Wax or resin*

*If a patient fails to substantially respond on two other forms listed, a qualified medical provider may recommend wax or resin.

Smoking of cannabis is not permitted but patients may purchase a medical cannabis device that warms cannabis material into a vapor without the use of a flame and delivers cannabis to an individual's respiratory system (such as an electric dabbing rig). Although smoking of medical cannabis is prohibited, vaping is legal.

The law prohibits candies, cookies, brownies, and other edible products. Unprocessed flowers outside of blister packs are not permitted.

10. How much medical cannabis are qualifying patients allowed to possess at one time?

Qualifying patients may not possess:

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- more than 113 grams of unprocessed cannabis (raw bud or flower in blister packs)
- any cannabis product that contains greater than 20 grams of total composite THC

11. Is medical cannabis legal under federal law?

No, cannabis is not legal under federal law.

12. Are there renter or employee protections for qualifying patients?

Because medical cannabis users are not a protected class, there are no renter protections for those who choose to possess and use medical cannabis.

There are some limited protections for state and local government employees. The Utah Medical Cannabis Act allows these employers to treat medical cannabis use in the same fashion as opioids or opiates, meaning that disciplinary action and/or termination may occur due to impairment or poor job performance.

Private employees are subject to their employers' policies, which may include zero-tolerance for cannabis and/or drug testing.

13. Can individuals who have no qualifying condition purchase CBD oil with low a percentage of THC and similar products at retail outlets?

Yes. It is legal under Utah law for anyone to purchase and possess hemp extract, or CBD oil, if it contains less than 0.03% tetrahydrocannabinol (THC).

14. What is the application process to open a medical cannabis pharmacy?

The Utah Department of Health is not yet accepting applications from those seeking to open medical cannabis pharmacies. Later in 2019, a Request for Proposal (RFP) will be posted, allowing potential medical cannabis pharmacy owners to submit bids to establish one of seven privately run medical cannabis pharmacies.

To be placed on the Utah Department of Health's RFP notification list for medical cannabis pharmacies, please send an email to medicalcannabis@utah.gov.

15. How many medical cannabis pharmacies will be licensed?

Up to seven private medical cannabis pharmacies will be licensed by March 2020.

16. What are legal protections for a medical provider who recommends medical cannabis to a qualifying patient?

As long as a medical provider meets requirements outlined in Question 2, the provider is not subject to the following solely for violating a federal law or regulation that would otherwise prohibit recommending, prescribing, or dispensing medical cannabis, a medical cannabis

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product, or a cannabis-based drug that the United States Food and Drug Administration has not approved:

- civil or criminal liability; or
- licensure sanctions for your profession as described under the Pharmacy Practice Act, Nurse Practice Act, Utah Medical Practice Act, Utah Osteopathic Medical Practice Act, or Physician Assistant Act.

17. Where can a medical provider find education on the subject of medical cannabis?

There are many courses, online and in-person, that provide education on treating different medical conditions with medical cannabis. The Utah Department of Health is working with stakeholders to determine criteria for courses that will meet the qualified medical provider's continuing education requirement. Once published, these criteria will be available at <https://health.utah.gov/medical-cannabis>.

18. Where can I go to check for updates regarding medical cannabis from the Utah Department of Health?

<https://health.utah.gov/medical-cannabis>

AFTER JANUARY 1, 2021

19. When will qualifying patients be required to hold a medical cannabis card in order to use and possess medical cannabis?

Qualifying patients will have until December 31, 2020 to use and possess medical cannabis without holding a medical cannabis card. On January 1, 2021, no one without a medical cannabis card can legally use or possess medical cannabis in Utah.

20. What types of medical cannabis cards will be available?

Beginning in March 2020, there will be four types of medical cannabis cards: patient cards, guardian cards, provisional patient cards, and caregiver cards.

Patient Cards: Patients 18 years of age and older. Patients under 21 years of age must have approval from the Compassionate Use Board.

Guardian Cards: Parents or legal guardians of minors who are eligible to consume medical cannabis. These cards are issued in conjunction with provisional patient cards.

Provisional Patient Cards: Minors under the age of 18 who meet the eligibility requirements to consume medical cannabis. These are issued in conjunction with guardian cards. All provisional patient cards must have approval from the Compassionate Use Board.

Caregiver Cards: Adults 21 years of age and older who care for patient cardholders who are unable to procure or consume medical cannabis on their own. Caregivers must be designated by the patient cardholders they will be assisting.

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21. What will it cost to get a medical cannabis card?

The Department of Health has not yet set the fee for obtaining a medical cannabis card. The Utah Medical Cannabis Act allows the Utah Department of Health to charge a fee to offset the cost of reviewing applications and issuing cards. The fee will be established based on similar application fee schedules.

22. How often must medical cannabis cards be renewed?

Medical cannabis patient and guardian cards must first be renewed 30 days after they are originally issued, then once every six months thereafter. Medical cannabis provisional cards issued to minor patients and medical cannabis caregiver cards issued to caregivers of patients are automatically renewed when the corresponding guardian or patient card is renewed. The Utah Department of Health will charge a minimal fee for card renewals; however, this fee has not yet been determined.

23. Will qualifying patients need a medical provider's recommendation in order to obtain a card?

Yes, all patients must have a recommendation from a registered qualified medical provider (QMP) in order to apply for a medical cannabis card. A QMP must register with the Utah Department of Health and must be a Utah licensed physician, physician assistant, or advanced practice registered nurse (APRN) who has a controlled substance license and must have completed four hours of approved education.

24. How will medical providers determine the dose and form of the medical cannabis for their patients?

Qualified medical providers (QMPs) are required to complete at least four hours of education specific to medical cannabis in order to register and to remain eligible to recommend medical cannabis. This training will prepare a QMP to know the appropriate dose and form of medical cannabis.

In some cases, the QMP may choose not to make a specific dosage or form recommendation. In these cases, the QMP must electronically document in the recommendation:

- an evaluation of the qualifying condition underlying the recommendation;
- prior treatment attempts with cannabis and cannabis products; and
- the patient's current medication list.

Using this information, the pharmacy medical provider (a pharmacist or physician) at a medical cannabis pharmacy or the state central fill pharmacy will counsel with you and determine the dosing parameters.

25. What is the Compassionate Use Board?

The Compassionate Use Board is responsible to review all card applications from patients under the age of 21 and patients with conditions not listed in statute. These patients must petition the

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Board and be approved by the Board before a medical cannabis card can be issued. The Board will consist of seven providers who will meet to review applications for medical cannabis cards on a case-by-case basis. The Board will begin accepting petitions by March 2020.

26. What is the state central fill medical cannabis pharmacy?

The state central fill medical cannabis pharmacy is a state-owned facility designed to serve patient cardholders who do not live near, or who choose not to use, a privately-run medical cannabis pharmacy. The state central fill pharmacy will take orders from medical cannabis cardholders online and by phone and deliver the order to a local health department location of the patient's choosing for pickup. These orders are required to be delivered to the local health department location within two business days after the day the order is placed.

27. Is a medical cannabis card or provider recommendation from another state valid in Utah?

A medical cannabis cardholder visiting from another state may use medical cannabis in Utah as long as the patient has one of the qualifying conditions listed in Utah law and possesses medical cannabis in the Utah's legal medicinal dosage form and amount.

A new resident who has lived in Utah for less than 45 days may utilize a medical cannabis card from another state. After 45 days, the card is no longer valid in Utah and the patient must apply for a Utah medical cannabis patient card with a recommendation from a Utah qualified medical provider.

28. What if a qualifying patient does not live close to a medical cannabis pharmacy?

Patients who live long distances from the nearest medical cannabis pharmacy may prefer to order from the state central fill pharmacy online or by phone and pick up their medical cannabis at a local health department distribution location. These orders are required to be delivered to a local health department location within two business days after the order is placed.

29. How many different patients may a qualified medical provider make recommendations to at one time?

A qualified medical provider (QMP) may not recommend medical cannabis treatment to more than 175 of their patients with active medical cannabis cards at one time, or to more than 300 patients if the QMP is certified by the appropriate American medical board in anesthesiology, neurology, oncology, pain, hospice and palliative medicine, physical medicine and rehabilitation, rheumatology, or psychiatry or if a licensed business employs or contracts the QMP for the specific purpose of providing hospice and palliative care. A QMP may petition the Utah Division of Occupational and Professional Licensure for authorization to exceed these patient limits by graduating increments of 100, not to exceed three authorizations.

30. Is a medical provider required to recommend a specific dosage or form?

No, qualifying patients may consult in person with a pharmacist at one of the medical cannabis pharmacies or by phone with a pharmacist at the state central fill pharmacy for specific dosage and form advice. A medical provider may provide specific dosing information if desired, but it is not required to issue a recommendation.

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CONTACT INFORMATION

Utah Department of Health
Center for Medical Cannabis
(801) 538-6504

Email: medicalcannabis@utah.gov
Online: health.utah.gov/medical-cannabis

Updated 2/26/2019

FACT SHEET

This fact sheet highlights parts of House Bill 3001: Utah Medical Cannabis Act that was passed by Utah lawmakers in December 2018. While this fact sheet features certain parts of the Act, it is not intended to be comprehensive. For information about the cultivation and manufacturing of medical cannabis under HB 3001, please contact the Utah Department of Agriculture and Food. A complete copy of HB 3001 is available on the Utah Legislature's website (le.utah.gov).

PROGRAM DEADLINE: MARCH 1, 2020

- Most elements of the medical cannabis program, including the issuance of medical cannabis patient cards and the licensing of medical cannabis pharmacies, must be operational by March 1, 2020
- Prior to January 2021, patients are not guilty of use or possession of medical cannabis if at the time of arrest:
 - the individual had been diagnosed with a qualifying condition and had a pre-existing provider-patient relationship with a Utah-licensed APRN, physician, or a physician assistant who believed that the individual's illness could benefit from the use in question; and
 - the cannabis was in a medicinal dosage form and a legal quantity (58-37-3.7).
- Compliance with the Utah Medical Cannabis Act may not protect patients from liability for violations under federal law or the laws of other states.

QUALIFIED MEDICAL PROVIDERS (26-61A-106)

A qualified medical provider (QMP) is a medical professional who can recommend a patient for treatment with medical cannabis. Qualified medical provider (QMP) registration is limited to Utah licensed:

- Physicians
 - Osteopathic Physicians
 - Advanced Practice Registered Nurses (APRN)
 - Physician Assistants
- Must be licensed to prescribe a controlled substance.
 - Must complete four hours of continuing education prior to registration and four hours upon every two-year renewal.
 - May not recommend medical cannabis treatment to more than 175 of the QMP's patients at one time, or to more than 300 patients if the QMP is certified by the appropriate American medical board in anesthesiology, neurology, oncology, pain, hospice and palliative medicine, physical medicine and rehabilitation, rheumatology, or psychiatry or if a licensed business employs or contracts the QMP for the specific purpose of providing hospice and palliative care. QMP may petition the Division of Occupational and Professional Licensure for authorization to exceed the 300-patient limit by graduating increments of 100, not to exceed three authorizations.
 - May only recommend medical cannabis treatment to a patient in the course of the physician-patient relationship after completing and documenting in the patient's record a thorough assessment of the patient's condition and medical history.

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QUALIFYING CONDITIONS (26-61A-104)

Individuals with the following conditions are authorized under the Utah Medical Cannabis Act to receive a medical cannabis patient card:

- HIV or acquired immune deficiency syndrome (AIDS)
- Alzheimer's disease
- Amyotrophic lateral sclerosis
- Cancer
- Cachexia
- Persistent nausea that is not significantly responsive to traditional treatment except for nausea related to: pregnancy, cannabis-induced cyclical vomiting syndrome, or CBD hyperemesis syndrome
- Crohn's disease or ulcerative colitis
- Epilepsy or debilitating seizures
- Multiple sclerosis or debilitating muscle spasms
- Post-traumatic stress disorder (PTSD) that is being treated and monitored by a mental health therapist and that: has been diagnosed by a health care provider or mental health provider by the VA and documented in the patient's record; or has been diagnosed or confirmed by evaluation by a psychiatrist, doctorate psychologist, a doctorate licensed clinical social worker, or a psych APRN
- Autism
- Terminal illness when the patient's remaining life expectancy is less than 6 months
- Condition resulting in the individual receiving hospice care
- Rare condition or disease that affects less than 200,000 individuals in the U.S., as defined in federal law and this is not adequately managed despite treatment attempts using conventional medications (other than opioids or opiates) or physical interventions
- Pain lasting longer than two weeks that is not adequately managed, in the qualified medical provider's opinion, despite treatment attempts using conventional medications other than opioids or opiates or physical interventions
- A condition that the Compassionate Use Board approves on a case-by-case basis

DOSAGE FORMS AND DEVICES (26-61A-102, 502)

Medical Cannabis will only be available in the following forms under the Utah Medical Cannabis Act:

- Tablet
- Capsule
- Concentrated oil
- Liquid suspension
- Topical preparation
- Transdermal preparation
- Gelatinous cube
- Unprocessed cannabis flower in blister pack containing no more than 1 gram of flower pods in each individual blister
- If patient does not respond to two forms listed above, a qualified medical provider may recommend a wax or resin dosage form.
- Smoking of cannabis is not permitted but patients may purchase a medical cannabis device that warms cannabis material into a vapor without use of a flame and delivers cannabis to an individual's respiratory system.

SMOKING OF MARIJUANA IS PROHIBITED. Edible products (besides gelatinous cubes) such as candies, cookies, brownies, and unprocessed flowers outside of blister packs are not permitted under Utah Code 26-61a-102 (29).

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MEDICAL CANNABIS CARDS (26-61A-201 - 205)

Patients who are Utah residents may apply for medical cannabis cards with their qualified medical provider (QMP) in the QMP's office through the electronic verification system. The Department of Health evaluates applications and issues cards within 15 days if applicant qualifies. All card applications for patients under 21 years of age must be approved by the Compassionate Use Board. Cards issued include the following:

Medical Cannabis Patient Card

- Issued to patients 18 years of age and older
- Application fee (amount to be determined)
- Valid for up to 30 days upon initial issuance, then six months upon renewal (with additional fee)
- Card for patients age 18-20 must have card approved by Compassionate Use Board

Medical Cannabis Caregiver Card

- Card renews automatically with associated Medical Cannabis Patient or Guardian Card (with additional fee)
- Criminal background check

Provisional Patient Card

- Patients under 18 years of age
- Issued and renews automatically with Guardian Card (no additional fee)
- Requires approval by Compassionate Use Board

Medical Cannabis Guardian Card

- Issued to parent or guardian of patients under 18 years of age
- Valid for 30 days upon initial issuance, then six months upon renewal (with additional fee)
- Criminal background check

AMOUNT RESTRICTIONS (26-61A-502)

- If a qualifying patient's primary residence is less than 100 miles from a medical cannabis pharmacy or a local health department:
 - In any one 12-day period, may not possess more than the lesser of:
 - An amount sufficient to provide 14 days of treatment on the dosing parameters that the qualified medical provider (QMP) recommends; or
 - 56 grams by weight of unprocessed cannabis that is in a medicinal dosage form and that contains, in total, greater than 10 grams of total composite THC and CBD in the cannabis
- If a qualifying patient's primary residence is 100 miles or greater from a medical cannabis pharmacy or a local health department:
 - In any one 28-day period, may not possess more than the lesser of:
 - An amount sufficient to provide 30 days of treatment based on the dosing parameters that the relevant qualified medical provider (QMP) recommends; or
 - 113 grams of marijuana in a medicinal dosage form
 - Medicinal forms containing more than 20 grams of tetrahydrocannabinol (THC)
- Medical cannabis cardholders may not possess marijuana drug paraphernalia.

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MEDICAL CANNABIS PHARMACIES (26-61A-301, 501)

- Seven pharmacy licenses available, annual renewal cycle.
- Must have a licensed pharmacist registered as a pharmacy medical provider with Utah Department of Health onsite during all business hours to consult with patients.
- May only sell cannabis products in medicinal dosage form, medical cannabis devices, or educational materials related to the medical use of cannabis.
- To enter a pharmacy, the individual must be a cardholder (patient, guardian, or caregiver) and at least 18 years of age.
- Use of cannabis on property is forbidden.
- All employees are required to register as medical cannabis pharmacy agents and pass criminal background checks.
- Cannot advertise but may have signage that includes green cross, name, and hours of operation.
- Must have a single, secure public entrance and be equipped with security system that detects and records entry and locks on any area that stores cannabis.
- Must follow product labeling requirements.
- May not be located within 600 feet of an area zoned as residential or a community location.
- Must use an Inventory Control System that tracks cannabis using a unique identifier, in real time, from when the plant is eight inches tall to when the product is sold.

STATE CENTRAL FILL PHARMACY (26-61A-601)

- Must be operational by July 1, 2020, multiple locations permitted if necessary.
- Must be a closed-door pharmacy that ships patient orders to one of 13-18 local health department locations where patient picks up the order (no customer pick up at state central fill location).
- Must meet all applicable medical cannabis pharmacy requirements.
- Patients request shipments of medical cannabis through the electronic verification system (EVS) or from qualified medical providers directly through the EVS. Patients may also order by phone.
- Processes payments electronically.
- Pharmacist must consult directly with the patient when the QMP recommending a medical cannabis treatment does not provide dosing parameters.
- Written counseling information must be included with each shipment, along with contact information by which a cardholder may contact a pharmacy medical provider for counseling.

CONTACT INFORMATION

Utah Department of Health
Center for Medical Cannabis
(801) 538-6504
medicalcannabis@utah.gov
health.utah.gov/medical-cannabis

Updated 1/22/2019