

Medical Marijuana in Missouri



Patient Information

What you need to know



History

Article XIV of the Missouri Constitution grants the Missouri Department of Health and Senior Services (DHSS) the authority and responsibility to create a well-regulated program to ensure the availability of, and safe access to, medical marijuana.

The Section for Medical Marijuana Regulation was created within DHSS to administer the Medical Marijuana Regulatory Program (MMRP).

The Missouri Department of Health and Senior Services, Section for Medical Marijuana Regulation

Mission

To administer Missouri's Medical Marijuana Regulatory Program in alignment with the provisions of Article XIV of the Constitution, as determined by the will of the citizens of Missouri.

Vision

A program that provides safe and secure access to medical marijuana for qualifying Missouri patients through consistent regulation, enforcement, and education.

Contact Us

medicalmarijuana.mo.gov

email: MedicalMarijuanaInfo@health.mo.gov

Emails are answered 8 a.m. - 5 p.m., Monday-Friday

Toll-free Call Center: 866-219-0165

Up-to-date hours of operation for the call center will be available on the website



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Article XIV Section 1. Right to access medical marijuana

Article XIV allows state-licensed physicians to recommend medical marijuana for certain qualifying conditions, provides patients the right to discuss possible benefits of medical marijuana, and establishes a patient's right to use medical marijuana under the supervision of a physician.

Medical marijuana in Missouri refers to any strain of cannabis with a tetrahydrocannabinol (THC) content of greater than 0.3% on a dry weight basis. Products containing forms of cannabis or hemp or chemicals from cannabis or hemp that do not contain this amount of THC are not considered medical marijuana in Missouri.

Medical marijuana can be used in different ways; each way can affect users differently, whether inhaled (i.e., smoking, vaporization), oral (i.e., edibles, tinctures, capsules, oils), sublingual (applied under the tongue e.g., tinctures, dissolvable strips, lozenges, sprays), or topicals (i.e., lotions, salves, bath salts, oils).

There is no reciprocity between Missouri's Medical Marijuana Regulatory Program (MMRP) and other state medical marijuana programs. Individuals licensed in another state do not automatically qualify for a license in Missouri.

Even though medical marijuana is legal in Missouri, marijuana possession remains a federal offense. Federal law applies to offenses committed on federal property, including all national parks, military property, and other land under federal control. Federal law also applies to offenses involving interstate commerce and importation from other countries.

A Qualifying Patient is a Missouri resident diagnosed with at least one (1) of the qualifying medical conditions

Qualifying medical conditions:

- Cancer;
- Epilepsy;
- Glaucoma;
- Intractable migraines unresponsive to other treatment;
- A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease and Tourette's syndrome;
- Debilitating psychiatric disorders, including, but not limited to, post-traumatic stress disorder, if diagnosed by a state-licensed psychiatrist;
- Human immunodeficiency virus or acquired immune deficiency syndrome;
- A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;
- A terminal illness; or
- In the professional judgment of a physician, any other chronic, debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.

A Primary Caregiver must be 21 years of age or older and responsible for managing the well-being of a qualified patient

Patients can designate up to two caregivers while caregivers can have up to three patients.

- Qualified patient(s) and their caregiver(s) must be licensed by DHSS.
- Caregivers must be listed as the caregiver for that particular qualified patient on the primary caregiver's application for an identification (ID) card and on the licensed qualified patient's approved application.
- Caregivers must submit a Patient Authorization Form with their caregiver application. The Patient Authorization Form, found on the DHSS website, must be completed and signed by the qualified patient.

Fees for patient and caregiver ID cards

DHSS accepts electronic check, MasterCard, Visa, Discover, American Express, and any gift card issued by those credit cards. Online payment is due at the time of application submission.

- Patient and caregiver licenses are valid for one year.
- Annual and renewal fees for patient and caregiver cards are posted to the website. Fees are adjusted each July 1 based on the U.S. Consumer Price Index percent change.
- There is an additional fee for patient cultivation.
- Only the patient or their caregiver, not both, may be authorized for patient cultivation. See page 16 for more information about patient cultivation security regulations that must be followed.

Before submitting an application, talk to your doctor regarding the use and possible benefits of medical marijuana. Be direct and ask your doctor if medical marijuana is right for you.

Below are some questions to consider asking your physician regarding marijuana use:

- What benefits can be expected from marijuana therapy?
- What are the risks related to marijuana therapy?
- Do the known benefits outweigh the risks?
- Will marijuana therapy affect the use of any medications I'm currently taking?
- What side effects can be expected?
- Will marijuana therapy be covered by health insurance?

For more information on possible health effects associated with marijuana usage, refer to the Centers for Disease Control and Prevention's (CDC) website.

You may want to consider keeping a marijuana-use log to establish an ideal marijuana treatment regimen. Periodically reviewing the log can help you and your physician make decisions about what works best for you.



Step 1: Obtain an electronic Physician Certification Form before submitting a new or renewal application

You must visit a Missouri-licensed physician, who is active and in good standing to practice medicine or osteopathy, to obtain an electronic Physician Certification Form. The physician must fully complete, sign, and submit the electronic Physician Certification Form in the DHSS secure electronic registry system.

The Physician Certification Form must be issued **no more than 30 days prior to** patients submitting their online applications.

While Article XIV allows Missouri-licensed physicians to discuss and recommend medical marijuana for their patients, the Constitution does not mandate physicians do so as part of their practice. If your physician won't complete a Physician Certification Form, ask if they would be willing to refer you to a physician who will.

Step 2: Submit a complete application using the secure, online MMRP patient registry accessed from the DHSS webpage

Walk-in or mailed applications, documents, and/or payments **will not be accepted** and will be returned to the applicant by certified mail. Please visit the DHSS website for tutorial videos and help guides to assist with the application process.

The following items are required in order to have a complete application:

- Identifying information: name, date of birth, social security number.

(Additional information continued on next page.)

- Contact information: residence address, mailing address or place where qualifying patient can receive mail, email address, and phone number.
- Proof of Missouri residency: a copy of a valid Missouri driver license, a Missouri issued ID Card, a current Missouri motor vehicle registration, or a recent Missouri utility bill.
- A legible copy of the qualifying patient's photo ID issued by a state or federal government entity.
- A completed Physician Certification Form submitted by a certifying physician, a Patient Authorization Form for a caregiver application, or a Parental/Legal Guardian Consent Form for non-emancipated qualifying patient.
- A clear, color photo of the qualifying patient's face taken within the prior three (3) months. An image from the photo on a government issued ID does not meet this requirement.
- At the option of the applicant, a statement indicating whether the qualifying patient is currently receiving assistance from any Missouri programs for low-income individuals, and if so, which programs.
- Whether the patient is seeking authority to cultivate medical marijuana.
- Attestation statement, signature and date of the application, and all applicable fees.

How to select an electronic Physician Certification Form

After the certifying physician submits the electronic Physician Certification Form within the registry, then the applicant can log into their account and:

- On the Physician/Condition tab of the application, select "Electronic Certification" from the first question under the "Recommendation Type" title.
- A green box will appear to the right of the question labeled "View Available Certifications."

- Any electronic forms submitted for the social security number and date of birth in the application will populate on the screen.
- Choose the electronic form and click “Update”.
- The information submitted by the certifying physician will populate into the application.
- Click “Save and Next” to advance to the next page.

If a “No Physician Recommendation found” tan box appears, either the certifying physician has not submitted the Physician Certification Form or the information submitted with the form is incorrect.

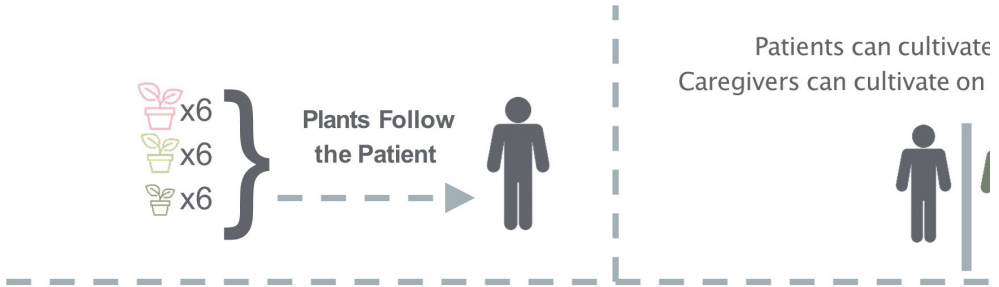
- First, please contact the certifying physician to inquire if the form was submitted.
- Please contact DHSS if the applicant and certifying physician determine the personal identifiable information on the Physician Certification Form is incorrect.

Applications to cultivate

Applications for authorization to cultivate can be made within the initial patient or caregiver application, or may be added after the initial license approval by submitting an update application. The cultivation information provided within the application must meet the following requirements:

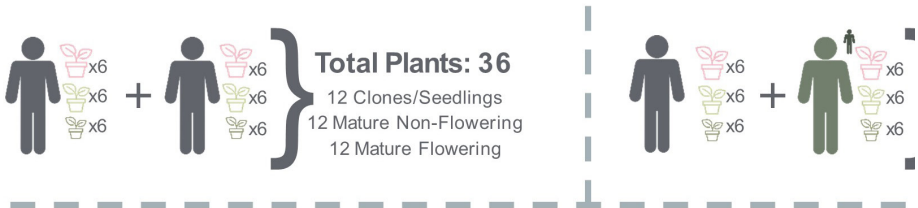
- For a shared cultivation space, the names of shared licensed patients must be listed in each other’s application.
- The cultivation description must meet the requirements of an enclosed locked facility, including additional requirements for an outdoor cultivation space (see definitions on page 15).
- The space must be locked, restricting access to **only** patients and their licensed caregivers.
- Applicants must attest to provide DHSS with access to the cultivation space upon request.

Rules of Patier

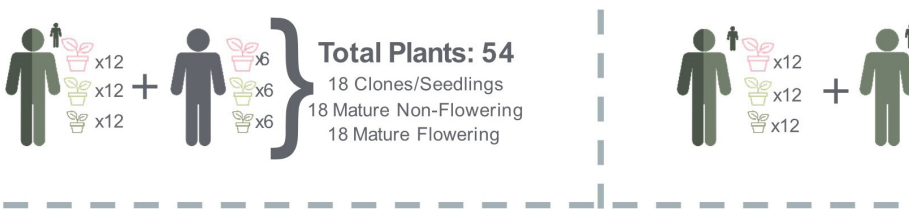


Rules of Share

Two Licensed Cultivators



Up to Three Cultivation Licenses
 One of the three must be a Caregiver



Legend

- Patient Cultivator
- Caregiver Cultivator
- Patient Cultivator / Caregiver Cultivator
- Clones/Seedlings
- Mature Non-Flowering
- Mature Flowering

ent Cultivation

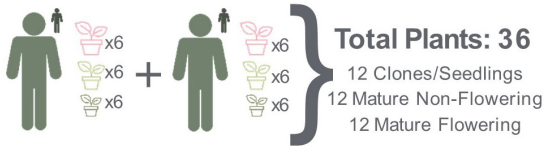
ivate for themselves or
e on behalf of the patient(s)

Licensed Caregiver Cultivators may also be a
Licensed Patient Cultivator for their own plants



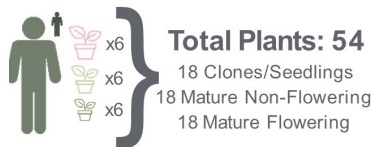
red Cultivation

tors may share one space



1 Licenses Can Share a Space

giver that is also cultivating for themselves



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Patient Cultivation

The patient or their caregiver (but not both) may apply to obtain a patient cultivation license to grow up to six flowering marijuana plants for an additional fee for the **exclusive use of the qualifying patient**.

A qualifying patient under the age of 18 is not eligible to obtain a cultivation license, unless the qualifying patient under the age of 18 is emancipated. Only a parent or guardian who holds a primary caregiver ID card may obtain a cultivation license for a non-emancipated qualifying patient under the age of 18.

A caregiver can serve up to three patients. If a caregiver obtains a cultivation license on behalf of multiple patients, they must have a separate cultivation license for each patient.

For more information, please visit the patient cultivation page available on the DHSS website.

Only dispensaries licensed by DHSS are authorized under Article XIV to sell medical marijuana, which must pass testing requirements to ensure safe access for licensed patients. Licensed patient cultivators are prohibited from selling cultivated medical marijuana plants or product. Any licensed patient cultivator found in violation of their obligations under provisions in Article XIV and the associated regulations may be subject to license revocation.

Patient cultivation security regulations that must be followed:

- All qualifying patient cultivation shall take place in an enclosed, locked facility that is equipped with security devices that permit access only by the qualifying patient or by such patient's primary caregiver.
- One qualifying patient may cultivate up to six flowering marijuana plants, six nonflowering marijuana plants (over 14 inches tall), and six clones (plants under 14 inches tall) at any given time in a single, enclosed locked facility.
- Two qualifying patients, who both hold valid qualifying patient cultivation ID cards, may share one enclosed, locked facility. No more than 12 flowering marijuana plants, 12 nonflowering plants, and 12 clones may be cultivated in a single, enclosed locked facility, unless one of the qualifying patients, as a primary caregiver, also holds a patient cultivation ID card for another patient. In such case, the primary caregiver may cultivate six additional flowering marijuana plants, six additional nonflowering marijuana plants, and six additional clones for a total of 18 flowering marijuana plants, 18 nonflowering marijuana plants, and 18 clones in a single, enclosed locked facility.
- All cultivated flowering marijuana plants in the possession of a qualifying patient or primary caregiver shall be clearly labeled with the qualifying patient's name.
- DHSS-issued cultivation authorization shall be clearly displayed within the enclosed cultivation area and in close proximity to the marijuana plants. The authorization shall list the name of the qualifying patient or primary caregiver and the address of the facility in which that qualifying patient or primary caregiver is authorized to cultivate marijuana.

“Enclosed, Locked Facility” means

- An indoor stationary closet, room, garage, greenhouse, or other comparable fully enclosed space equipped with locks or other functioning security devices that permit access to only the qualifying patient(s) or primary caregiver(s) who have informed DHSS that this is the space where they will cultivate marijuana.
- An outdoor stationary structure
 - That is enclosed on all sides, except at the base, by chain-link fencing, wooden slats, or a similar material that is anchored, attached, or affixed to the ground and that cannot be accessed from the top.
 - In which the plants are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure at any level.
 - That is equipped with locks or other security devices that permit access to only the qualifying patient(s) or primary caregiver(s) who have informed DHSS that this is the space where they will cultivate marijuana.

Renewals of patient and caregiver ID card

Current licensees will be sent notices 60, 45, 30, and 15 days prior to the license expiration date. These notices will be sent from the registry system to the email address associated with the patient's account. In order to guarantee that a renewal application is processed prior to a current active license expiring, patient and caregivers should submit their renewal applications between 60 and 30 days prior to the license expiration date. Licensees who intend to continue their participation in the program following expiration of a license must submit a new application if they did not submit a renewal application.

- A new electronic Physician Certification Form must be submitted by a certifying physician that is dated no more than 30 days prior to the patient renewal application submission.
- Caregiver renewal applicants are required to provide a new Patient Authorization Form in their application.
- Additional documentation required:
 - A color digital photo of the applicant, taken within 3 months. This must not be a photo of the applicant's driver license or passport.
 - Proof of current Missouri Residency (patient renewals).
 - Government Issued Photo ID.

Rejections

An application for an ID card will be considered received when a complete application is submitted to DHSS that includes all required information. (See pages 9-10 for required information.)

If an application is incomplete, DHSS will send an email to the applicant's email address associated with their account. The email will serve to notify an applicant that it has been rejected and will specify in that notification what information is missing.

Applicants must resubmit corrections within 10 days of being notified their application is incomplete. If the required changes are not made within 10 days, the application will be denied. If changes are made, but the application is still incomplete or deficient in some way, the application will be denied. If the changes are made and the application is correct and complete, it will be approved.

- **Reminder:** After uploading files or editing data, be sure you click the "SAVE and NEXT" button to commit your changes before clicking the "SUBMIT" button.
- Prior to submission, applicants should carefully review their application to ensure the accuracy of the information provided and that the required documentation has been properly uploaded and is clearly visible.
- Applicants can contact DHSS, by email, with questions about a rejected application.
- **NOTE: A rejected application is NOT a denied application.** It is still an active application that is able to be corrected and resubmitted.

Denials

DHSS will either approve or deny the application within 30 days of receiving it.

An application will be denied if the applicant:

- Provides false or misleading information in an application.
- Fails to provide a complete application within 10 days of being notified that an application is incomplete.
- Receives two denials within a 12-month period, any subsequent application within that period will be denied.

Identification Cards

You can access your patient or caregiver ID card from your account in the MMRP patient registry. Registered patients and caregivers are required to have their ID card available when purchasing or in possession of medical marijuana.

1. Log into your MMRP Registry account at mo-public.mycomplia.com.
2. ID cards for approved licenses can be accessed from the homepage by going to the “ACTIONS” column on the far right of the screen.
3. Click on the button underneath “ACTIONS.”
4. Select “DOWNLOAD LICENSE.”
5. Save a copy of your Patient ID card to your device and print it off for your records.

***DHSS will not provide physical ID cards.**

Monthly Patient Allotment

Patients are allowed to purchase no more than four ounces, within a 30-day period, unless they have been approved by the Department for more than that amount.

On the date of intended purchase, the patient must not have purchased their limit within the prior 30-day period from that date in order to be allowed to purchase additional product. If within that 30-day period the patient has purchased some amount less than their limit, they will be able to purchase an additional amount up to their limit. Any purchased amount will drop off from a patient's account after 30 days from the date of purchase.

The DHSS encourages patients to keep good records of purchase dates and amounts purchased. Dispensaries verify the amount that a patient is currently allowed at the time of purchase. However, it is the patient's responsibility to know how much they are allowed to purchase and to stay within the permitted possession limits.

Medical Marijuana Purchases

Patients or caregivers may purchase medical marijuana from a Missouri licensed dispensary upon presentation of a DHSS-issued ID card.


Qualifying patients or their caregivers may purchase up to four ounces of dried, unprocessed marijuana, or its equivalent, in a 30-day period. Patients may only possess more if two independent physicians state in their certifications a larger amount is required.

Dried, unprocessed marijuana or its equivalent means the marijuana flower after it has been cured and trimmed, or its equivalent amount of marijuana concentrate or THC. For purposes of monthly purchases and possession limitations, four ounces of dried, unprocessed marijuana is equivalent to 32 grams of marijuana concentrate or 3200 milligrams of THC infused product.

To help with monthly purchase limits of dried marijuana, marijuana concentrate or THC infused products, consider using Missouri Marijuana Equivalency Units (MMEs).

A common purchase quantity of marijuana is 3.5 grams of dried, unprocessed marijuana which is equal to one MME. Therefore, one MME is equivalent to one gram of marijuana concentrate or 100 mg of THC infused product. See the following for additional information on the use of MMEs.

Missouri Marijuana Equivalency Units (MMEs)



Monthly Purchase Limits - Qualified patients are allowed to purchase up to 4 oz. (32 MMEs) of compliant product per month.

Marijuana 3.5 grams = **Marijuana Concentrate 1 gram** = **THC Infused Product 100 mg**

- A common purchase quantity of marijuana is 3.5 grams which is equal to 1 MME.
- This means that 1 MME is also equivalent to 1 gram of marijuana concentrate or 100 mg of THC infused product.

(See reverse side)

(Front view)

(Example Purchase) 7 grams of marijuana + 4 grams of marijuana concentrate + 200 mg of THC infused products.

7 grams of marijuana = $7 \div 3.5 = 2$ MMEs
 4 grams of concentrate = $4 \div 1 = 4$ MMEs
 200 mg of THC infused product = $200 \div 100 = 2$ MMEs

2 + 4 + 2 = 8 MMEs

32 MMEs - 8 = 24 MMEs remaining from monthly allotment
(From above example)

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 #203 09/2019

(Back view)

Copies of the MME card may be ordered from the DHSS Warehouse by completing a Request Form found on the DHSS webpage.

Legal possession of medical marijuana in Missouri applies to:

- Patients or their caregivers who have a valid DHSS-issued ID card.
- An equivalent ID card or authorization issued by another state or political subdivision of another state will also meet the requirements for possession.

If requested, the possessor of medical marijuana must produce a valid ID card on demand to the appropriate authority.

Qualified patients who do not cultivate or have medical marijuana cultivated on their behalf may have up to a 60-day supply (or eight ounces) of dried unprocessed marijuana or its equivalent.

Qualified patients who are cultivating marijuana for medical use or whose primary caregivers are cultivating marijuana on their behalf, may have up to a 90-day supply (or 12 ounces) of dried, unprocessed marijuana or its equivalent as long as the marijuana cultivated for the patient remains on property under the patient's or caregiver's control.

Know Your Rights and Responsibilities

Denials of ID cards may be appealed to the Administrative Hearing Commission (AHC) within 30 days after the date of the denial notice. Appeals may be sent by regular or certified mail to: The Administrative Hearing Commission, P.O. Box 1557, Jefferson City, MO 65102-1557; or sent via fax to 573-751-5018. For more information on appeals to the Administrative Hearing Commission, visit www.ahc.mo.gov.

The patient ID card does not offer individuals protections from violating laws pertaining to operating a motorized vehicle while under the influence. Nothing in Article XIV permits a person to operate, navigate, or be in actual physical control of any dangerous device or motor vehicle, aircraft or motorboat while under the influence of marijuana.

A licensed patient shall not consume marijuana for medical use in a public place, unless provided by law. 19 CSR 30-95.010(33) defines a public place as any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses.

Dispensary facilities may issue refunds or credits as needed and also may accept returns unless the medical marijuana has been removed from the packaging in which it arrived at the dispensary, whether removed before sale by the dispensary or after sale by a patient or caregiver.

All dispensary facilities must make available to all customers patient education materials that include at least the information described in 19 CSR 30-95.080(2)(B)1-5:

- Local resources for concerns about addiction as well as the phone number for the Substance Abuse and Mental Health Services Administration's National Helpline at 1-800-662-4357.
- Information about the different strains of medical marijuana available at that dispensary and the purported effects of the different strains.
- Information about the purported effectiveness of various methods, forms, and routes of administering medical marijuana.
- Information about potential risks and possible side effects of medical marijuana use, including risk of poisoning and the phone number for the closest poison control center.
- The prohibition on consuming marijuana for medical use in a public place, including the definition of what constitutes a public place pursuant to this rule.



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An EO/AA employer: Services provided on a nondiscriminatory basis.
Individuals who are deaf, hard-of-hearing, or have a speech disability can dial 711 or
1-800-735-2966.

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