

Medical Marijuana in Missouri



Patient Information

What you need to know...

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.

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

medicalmarijuana.mo.gov

email: MedicalMarijuanaInfo@health.mo.gov

Main number - 573-751-6234

(8:00 a.m. – 5:00 p.m., Monday-Friday)

Toll-free Call Center - 866-219-0165

(8:30 a.m. – 3:30 p.m., Monday-Friday)

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 Program (MMMP) 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 (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.
- 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 is someone who is 21 years of age or older and who is 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.

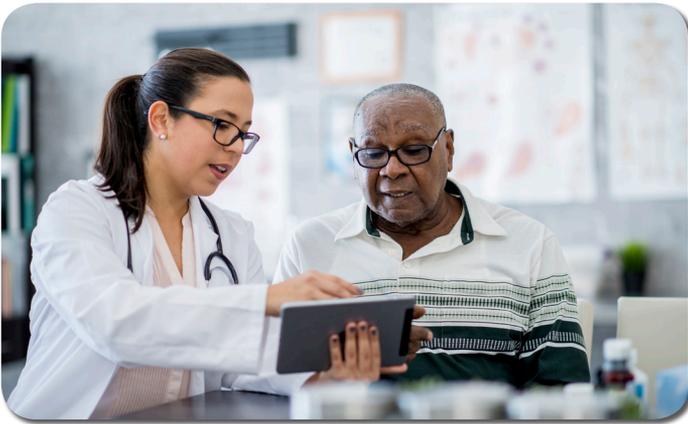
Annual fees for patient and caregiver ID cards

- Annual and renewal fee for patient and caregiver cards \$25.00.
- Annual and renewal fee for a home cultivation card \$100.
- Only the patient or their caregiver, not both, may be authorized for home cultivation. See page 8 for more information about home cultivation security regulations that must be followed.

DHSS accepts electronic check, MasterCard, Visa, Discover, American Express and any gift card issued by those credit cards.

- All license fees are non-refundable and patient and caregiver licenses are valid for one year.

Step 1: 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 must visit a Missouri-licensed physician, who is active and in good standing to practice medicine or osteopathy, to obtain a physician certification. The Physician Certification Form must be completed in its entirety and signed by the physician.

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 the Physician Certification Form, ask if they would be willing to refer you to a physician who will.

DHSS does not maintain a list of certifying physicians.

A qualifying patient should 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 2: Submit a complete patient or caregiver application using the secure, online MMMP 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.

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

- Identifying information: name, date of birth, social security number.
- 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's 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 for a patient application, 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.
- 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.

Rejections

If DHSS determines an application is incomplete, it will be rejected and a notification will be sent to the applicant's email address listed in the registry. An application for an ID card will be considered received when a complete application is submitted to DHSS that includes all required information. (See page 6 for required information.)

If an application is incomplete, DHSS will notify an applicant once and will specify in that notification what information is missing. Applicants must resubmit corrections within 10 days of being notified their application is incomplete, at which point that application will be denied if the required changes are not made.

- 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 with questions about a rejected application by phone or email.

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.

Home Cultivation

The patient or his or her caregiver (but not both) may apply to obtain a cultivation license to grow up to six flowering marijuana plants for an additional \$100 fee.

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 is obtaining a cultivation license on behalf of multiple patients, he or she must have a cultivation license for each patient.

The following security regulations 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.

Identification Cards

You can access your patient or caregiver ID card from your account in the MMMP 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 MMMP 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 be providing physical ID cards.**

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. If a patient requires more than this amount, two independent physician certifications stating the amount needed must be submitted with the patient application.

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
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- 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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(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:

- Only patients or their caregivers who have a valid DHSS-issued ID card.
- A person with a pending qualified patient or caregiver application that has been filed with MMMP's patient registry as long as they are able to produce their valid physician certification and show proof of pending registry.
- 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 on demand to the appropriate authority, a valid ID card.

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 the 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 this 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 closet 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.



Missouri Department of Health and Senior Services

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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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