

R380. Health, Administration.

R380-402. Medical Cannabis Cards.

R380-402-1. Medical Cannabis Cards - Authority and Purpose.

Pursuant to Subsections 26-1-5(1), 26-61a-201(8) and 26-61a-201(9), this rule establishes medical cannabis card application procedures, and renewal application procedures.

R380-402-2. Medical Cannabis Cards -- Application Procedures.

(1) The application procedures established in this section govern applications for initial issuance of a medical cannabis card, under Title 26, Chapter 61a, Utah Medical Cannabis Act.

(2) Pursuant to Section 26-61a-201, upon issuance of a medical cannabis card, the Department shall provide the cardholder information regarding the following:

(a) risks associated with medical cannabis treatment;

(b) the fact that a condition's listing as a qualifying condition does not suggest that medical cannabis treatment is an effective treatment, or cure for that condition; and

(c) other relevant warnings and safety information that the Department determines.

(3) The information described in Subsection (2) shall be electronically provided to each medical cannabis cardholder, and shall be accessible to the public on the Department's website.

(4) Each card applicant shall apply upon forms available from the Department.

(5) The Department may issue a card to an applicant only if the applicant meets the card requirements established under Title 26, Chapter 61a, Utah Medical Cannabis Act, and by Department rule.

(6) The Department shall provide a written notice of denial to an applicant who submits a complete application, if the Department determines that the applicant does not meet the card requirements.

(7) The Department shall provide a written notice of incomplete application that the application will be closed, unless the applicant corrects the deficiency within the time period specified in the notice; and otherwise meets the card requirements.

(8) A written notice of denial and incomplete application shall be sent to the applicant's last email address shown in the Department's EVS database, unless the cardholder has requested to be notified by regular mail.

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

R380-402-3. Medical Cannabis Cards - Renewal Application Procedures.

(1) Renewal application procedures established in this section shall govern an application to renew a medical cannabis card under Title 26, Chapter 61a, Utah Medical Cannabis Act.

(2) Each card applicant shall apply upon renewal application forms, available from the Department.

(3) The Department shall issue a card to an applicant who submits a complete renewal application, if the Department determines that the applicant meets the card requirements.

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

(5) The Department shall provide to an applicant a written notice of incomplete that the renewal application will be closed, unless the applicant corrects the deficiency within the time period specified in the notice; and otherwise meets the card requirements.

(6) The Department shall send a renewal notice to each cardholder, at least 30 days before the expiration date shown on the cardholder's card. The notice shall include instructions for the cardholder to renew the card, via the Department's website.

(7) Renewal notices shall be sent to the cardholder's last email shown in the Department's EVS database, unless the cardholder has requested to be notified by regular mail.

(8) Each cardholder shall maintain a current email address with the Department. Emailing to the last email address furnished to the Department constitutes legal notice, unless the cardholder has requested to be notified by regular mail.

(9) A renewal notice shall advise each cardholder that a card automatically expires on the expiration date and is no longer valid.

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

R380-402-4. Nonresident Medical Cannabis Cards -- Application Procedures.

(1) The application procedures established in this section govern applications for initial issuance of a nonresident medical cannabis card, under Title 26, Chapter 61a, Utah Medical Cannabis Act.

(2) Pursuant to Section 26-61a-201, upon issuing a medical cannabis card, the Department shall provide the cardholder information regarding the following:

(a) risks associated with medical cannabis treatment;

(b) the fact that a condition's listing as a qualifying condition does not suggest that medical cannabis treatment is an effective treatment, or cure for that condition; and

(c) other relevant warnings and safety information that the Department determines.

(3) The information described in Subsection (2) shall be electronically provided to each nonresident medical cannabis cardholder, and shall be accessible to the public on the Department's website.

- (4) Each card applicant shall apply upon forms available from the Department.
- (5) The Department may issue a card to an applicant only if the applicant meets the card requirements established under Title 26, Chapter 61a, Utah Medical Cannabis Act, and by Department rule.
- (6) The Department shall provide a written notice of denial to an applicant who submits a complete application, if the Department determines that the applicant does not meet the card requirements.
- (7) The Department shall provide a written notice of incomplete application that the application will be closed, unless the applicant corrects the deficiency within the time period specified in the notice; and otherwise meets the card requirements.
- (8) A written notice of denial and incomplete application shall be sent to the applicant's last email address shown in the Department's EVS database, unless the cardholder has requested to be notified by regular mail.
- (9) Each applicant shall maintain a current email and mailing address with the Department. Notice to the last email address on file with the Department constitutes legal notice, unless the cardholder has requested to be notified by regular mail.

R380-402-5. Nonresident Medical Cannabis Cards - Renewal Application Procedures.

- (1) Renewal application procedures established in this section shall govern an application to renew a nonresident medical cannabis card under Title 26, Chapter 61a, Utah Medical Cannabis Act.
- (2) Each card applicant shall apply upon renewal application forms, available from the Department.
- (3) The Department shall issue a card to an applicant who submits a complete renewal application, if the Department determines that the applicant meets the card requirements.
- (4) The Department shall provide a written notice of denial to an applicant who submits a complete renewal application, if the Department determines that the applicant does not meet the card requirements.
- (5) The Department shall provide to an applicant a written notice of incomplete that the renewal application will be closed, unless the applicant corrects the deficiency within the time period specified in the notice; and otherwise meets the card requirements.
- (6) The Department shall send a renewal notice to each cardholder, at least five days before the expiration date shown on the cardholder's card. The notice shall include instructions for the cardholder to renew the card, via the Department's website.
- (7) Renewal notices shall be sent to the cardholder's last email shown in the Department's EVS database, unless the cardholder has requested to be notified by regular mail.
- (8) Each cardholder shall maintain a current email address with the Department. Emailing to the last email address furnished to the Department constitutes legal notice, unless the cardholder has requested to be notified by regular mail.
- (9) A renewal notice shall advise each cardholder that a card automatically expires on the expiration date and is no longer valid.
- (10) If an individual's medical cannabis card expires, the individual may submit a card renewal application at any time; regardless of the length of time passed since the expiration of the card.

KEY: medical cannabis card, medical cannabis, marijuana

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Authorizing, and Implemented or Interpreted Law: 63G-3; 26-61a; 26-1-5(1); 26-61a-201(10) and (11)