

**Medical Marijuana Laws and Regulations for Patients, Caregivers and Physicians:
Maine, New Jersey, Rhode Island, and Vermont**



This chart is intended for educational purposes only; you should not act or rely upon the information contained herein without first seeking the advice of an attorney licensed in your jurisdiction.

The categories listed on this chart are limited so as to provide a comparative perspective of legislation from various jurisdictions. Please note that the listed provisions may have features that are not summarized in this chart. Pending bills may also seek to amend, repeal, or supersede these provisions – such information is not included in this comparison.

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	Maine ME ST 15 § 5821-A, 22 M.R.S.A. § 2421 to 2430- A, 2383-B15 Code Me. R. 10-144 Ch. 122, § 1 to 11	New Jersey NJ ST 24:6I-1 to - 16 NJ ST 45:1-45.1	Rhode Island RI ST §§ 21-28.6-1 to .6-10, 6- 12 RI ADC §§ 14 000 035, 31-2- 7:1.0	Vermont VT ST §§ 4471 to 4474d
State Registration				
Identification Cards Issued to Registered Users and Caregivers	X	X	X	X
Registry of Authorized Users, Physicians, and Primary Caregivers Maintained by the State	X	X (Physician names not included)	X	X
Requires Development of 24 Hour Verification System for Law Enforcement				X
Individuals Allowed Access to Registry				
Authorized Employees of Administrative Department to Perform Official Duties	X	X	X	X
Authorized Employees of State or Local Law Enforcement to Verify that a Person is Lawfully in Possession of ID Card	X	X	Department may disclose validity of ID card by confirming registry ID number	Department may verify identity of cardholders
To Treating Physicians and Primary Caregivers	X			
Pursuant to A Court Order	X			
With The Written Permission of the Patient or Legal Guardian	X			
Application Information Required From Patient, Caregiver, or Physician Before Placement in Registry				
Written Certification From a Physician Stating That The Patient Has Been Diagnosed With A Debilitating Condition or That The Patient May Benefit From The Medical Use of Marijuana	Must also state the patient's debilitating condition ¹	X	X ¹²	X ¹⁴
Name	Patient, Caregiver, Physician	Patient, Physician, Caregiver	Patient, Physician, Caregiver	Requires patient and caregiver to submit unspecified contact information
Address	Patient, Caregiver, Physician	Patient, Physician, Caregiver	Patient, Physician, Caregiver	
Date of Birth	Patient, Caregiver	Patient and Caregiver	Patient, Caregiver	
Driver's License or ID Card Number	Patient, Caregiver (A copy of a state ID)			ID required for patient and caregiver
Telephone Number	Physician	Physician	Physician	Physician contact information
Proof of Residence				
Patient Signature				X
Consent of Caregiver to A Criminal Background Check		X		
Social Security Number/Patient ID #				
Duties of Primary Caregiver				
Medical License # of Physician				
A Release Signed by the Patient, the Patient's Guardian or the Patient's Health Care Power of Attorney Authorizing the State to Obtain Further Information, From the Physician Who Submits a Written Certification on Behalf of the Patient	X			
A Statement By The Caregiver That The Caregiver Agrees to Serve as The Caregiver				

	Maine	New Jersey	Rhode Island	Vermont
Information Required For Registry From Patient, Caregiver, or Physician (Cont'd)				
Length of Time the Patient Has Been Under the Care of the Practitioner				
Designation As To Whether The Qualifying Patient or The Caregiver Will Be Allowed To Possess Marijuana Plants	X (Homeless patients required to designate a caregiver or dispensary)			
Written Statement Signed By Physician Verifying That The Physician Was Presented With Photo ID of Patient and Caregiver				
A Complete Set of Fingerprints of Patient and Caregiver		Caregiver must submit fingerprints		
An Indication Regarding Whether or Not the Patient Would Like to Be Notified of Any Clinical Studies About Marijuana's Risk or Efficacy			X	
A Notarized Program Waiver and Acknowledgment Form				
Signature of Physician and Date of Application				Must sign statement that physician meets state definition of physician, and list licensing state
Signature of Patient and Date of Application				
Additional Steps/Information That Must Be Submitted Before Use Can Be Approved for Minors				
Two Physicians Must Diagnose the Minor With A Debilitating Condition and Submit Written Certification	X ²			
A Statement That The Minor's Physician Has Explained the Potential Risks and Benefits to the Patient and Parent/Guardian	X		X	
Parent/Guardian Must Consent in Writing to: Allow the Medical Use of Marijuana	X ³	X	X	
Agree to Serve As the Minor's Caregiver	X ³	X	X	
Agree to Control the Acquisition of Marijuana, The Dosage, and Frequency of Use	X ³	X	X	
Information on ID Cards				
Name	X	X		X
Address	X	X		
Date of Birth	X	X		
Social Security Number				
Photo of ID Cardholder	X	X	X	X
Driver's License or ID Card				
Unique User ID or Serial Number	X		X	X
A Statement That The Person Is Registered With The State				
A Statement That The Person Has Been Diagnosed With A Debilitating Medical Condition				
Date of Issuance/Expiration Date	X	X	X	
Primary Caregiver Information Included on Patient's Card	X	X		
Patient's Information Included on Primary Caregiver's Card	X	X		
Phone Number of Administrative Agency				
Requirement to Return ID Card if Patient No Longer Has A Debilitating Medical Condition				
Designation As To Whether The Qualifying Patient or The Caregiver Will Be Allowed To Possess Marijuana Plants	X			
Phone Number of Real Time Verification System				
Other Information As Determined By The State		X		
Period of Time an ID Card is Valid	One Year	Two Years	Two Years	One Year
Application is Considered To Be Approved If State Does Not Approve Or Deny Application Within A Specified Period of Time	For a minor's application: 10 days ⁴ ; 45 days for all other applications		35 Days	

	Maine	New Jersey	Rhode Island	Vermont
Requirement to Notify State of Change in Name, Address, Physician, or Primary Caregiver	Within 10 days; also applies for change in marijuana growing designation or loss of card	Within 10 days	Within 10 Days (Must also notify if a card is lost)	
Cardholder Must Return Card If They No Longer Have A Debilitating Condition	Must notify within 10 days (After physician notifies state, card becomes void 10 days after written notice is sent to the patient)	Must notify state of change in debilitating medical condition within 10 days	A person who no longer has a debilitating condition becomes subject to penalties that apply to the non-medical use of marijuana	Family must return within 72 hours after death
Primary Caregiver Conditions and Requirements	See note below ⁵			
Minimum Age	21	18	21	21
Disqualification For A Felony Conviction/ Probation or Parole	X ⁶	X (Felony Drug Conviction) ⁹	For felony drug conviction ¹³	For conviction of a drug related crime
Maximum Number of Patients a Primary Caregiver May Assist	Five	One	Five	One
Caregiver is Allowed to Receive Compensation	Compensation for costs		Reimbursement for costs	
Maximum Number of Designated Caregivers a Qualified User Is Allowed			Two	One
Allows Qualifying Patients to Furnish Medical Marijuana For Other Patients Provided Amount Furnished is Within Possession Limitations	If nothing of value is transferred in return			
Qualifying Diseases and Debilitating Conditions				
Cancer	X	X (Terminal Cancer)	X	X
Glaucoma	X	X	X	
HIV/AIDS	X	X	X	X
Hepatitis C	X		X	
Alzheimer's Disease	X		X	
Nail Patella	X			
Amyotrophic Lateral Sclerosis	X	X		
Cachexia/Wasting Syndrome	X	X	X	X
Severe/Chronic Pain		X	X	X
Severe Nausea	X	X	X	X
Seizures	X	X	X	X
Intractable Skeletal Muscular Spasticity		X		
Anorexia				
Severe and Persistent Muscle Spasms MS/Crohns's	X	X	X	MS
Damage to the Nervous Tissue of The Spinal Cord, With Neurological Indication of Intractable Spasticity				
Appetite Loss				
Cramping				
Arthritis				
Severe, Debilitating, Chronic Pain	Must not have responded to ordinary medical or surgical treatment for more than 6 months			
Migraine				

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Qualifying Diseases and Debilitating Conditions (Cont'd)				
Admission to Hospice Care/Terminal Illness		For terminal illness if a physician had determined a prognosis of less than 12 months of life		
Any Other Chronic or Persistent Medical Condition				
Other Medical Conditions Approved by the State	Pursuant to petition and approval by advisory board	Department of Health and Senior Services may approve new diseases and conditions by regulation	X (pursuant to a petition)	
Reasons an Application May Be Denied				
Information Provided is False	X		X	
Information Cannot Be Verified				
Not All Required Information Was Submitted	X		X	
Failure to Establish Chronic or Debilitating Medical Condition				
Failure to Document a Consultation With an Attending Physician				
Failure to Comply With Established Regulations				
The Attending Physician Was Not Licensed in the State				
Primary Caregiver Denied If Caregiver Is Already Listed As Caregiver for Maximum Number of Patients				
Patient or Primary Caregiver Has Been Convicted of Selling A Controlled Substance		X (Applies to Primary Caregiver) ¹⁰		
Patient Has Been Prohibited By A Court				
An Applicant Previously Had an ID Card Revoked, or Knowingly Violated A Provision Related to The Medical Use of Marijuana				
An Applicant Does Not Meet Established Criteria				
Places Where/Occasions When Use Is Prohibited				
Any Place Where Smoking Is Prohibited By Law				
Any Public Place	Prohibits smoking		X	
Any Way That Endangers The Health or Well Being of Any Person				X
Where Exposure to Marijuana Smoke Effects The Health and Welfare of Children			X	
Grounds of a School, Recreation Center, or Youth Center	School Grounds (Prohibits Possession)	X	Any school grounds	X
On a School Bus	Prohibits Possession	X	X	X
Public Transportation	Prohibits smoking	X	X	X
Public Park or Beach		X		X
In a Correctional Facility	Prohibits Possession	X	X	X
In A Medical Facility				
Any Licensed Drug Treatment Facility			X	
Undertaking Tasks Under The Influence of Marijuana That Would Constitute Negligence or Professional Malpractice	X		X	
Operating Motor Vehicle While Under the Influence	X	X (Also prohibits use in a private vehicle unless the vehicle is stationary)	X	X
Operating a Boat While Under the Influence	X	X	X	X
Operating an Aircraft While Under the Influence	X	X	X	
While Operating Vehicle Propelled or Drawn By Power	Snowmobile, or all-terrain vehicle	(Railroad train)		X
Stationary Heavy Equipment		X		
While Possessing A Firearm				
Transporting Medical Marijuana Outside The State				
Provides That An Employer Will Not Be Required To Accommodate Use In The Workplace	X	X	X	X (Prohibited in places of employment)

	Maine	New Jersey	Rhode Island	Vermont
Statutory Protections for Patients and Caregivers for Medical Use of Marijuana as Defined By The State				
Protected From Arrest, Prosecution, or Penalty	Protected from any penalty or disciplinary action	X	X	X
Civil Penalty	X	X	X	
Disciplinary Action By A Professional Licensing Board	X	X	X	
Assisting A Qualified Patient or Designated Caregiver				
Individuals Not Required to Obtain Identification Card to Claim Protection				
Prohibits A School, Employer, or Landlord From Refusing to Enroll, Employ, or Lease or Penalize an Individual Solely Upon The Individuals Status As A Qualifying Patient or Registered Caregiver	X ⁷		X	
Provides That Property Used in Connection With Medical Use Is Not Subject to Forfeiture	X		X	
Provides That Possession of a Registry ID Card, Or Applying for an ID Card Does Not Alone Constitute Probable Cause to Search an Individual or Property	X	X	X	
Allows Medical Use of Marijuana To Be Used As An Affirmative Defense to Criminal Prosecution		X	X	
Provides That Custody or Visitation of a Minor Will Not Be Denied Unless The Person's Behavior Creates Unreasonable Danger to the Minor	X			
Provides That Individuals Who Provide A Qualified Patient or Caregiver With Paraphernalia Are Not Subject to Arrest, Prosecution or Penalty				X
Prohibits Arrest or Prosecution of An Individual for Being In the Presence or Vicinity of Medical Use of Marijuana	X	X	X	
Provides That Parents/Guardians Who Have Legal Custody of a Qualifying Patient Are Not Subject to Arrest or Prosecution		X		
Statutory Protections for Physicians When Acting In Compliance With State Medical Marijuana Statutes			Includes nurses and pharmacists	
Protection from Arrest or Prosecution		X	X	X
Civil Penalty		X	X	
Discipline from a Professional Licensing Board	May sanction for failing to properly evaluate or treat a patient's medical condition or otherwise violating the applicable standard of care	X	X	X

	Maine	New Jersey	Rhode Island	Vermont
Reasons a Card May Be Revoked				
It is Discovered Information on Application Was False				
If a Cardholder Sells Marijuana to a Person Who Is Not Authorized to Use Marijuana				
Conviction of Another Marijuana Related Offense				
If A Person Violates A Section of the Act or Another Controlled Substances Law	X (Specified disqualifying drug offenses)		X	
Pursuant to A Court Order				
For Violating Confidentiality Requirements	Applies to caregivers			
The Discovery of Repeated Violations of Statute				
Failure To Provide Access To The State To Material and Information Necessary For Determining Compliance With Regulations				
If a Caregiver De-Designated	X (Also applies to workers of hospice facilities who cease to be employed by the facility)			
Failing A Substance Abuse Test	2 in 12 months			
Possession Limitations for Patients and Primary Caregivers	Caregivers May Possess Maximum for Each Registered Patient		Total does not include unusable marijuana, including up to 12 seedlings	Applies to collective amount that can be held by patient and caregiver
Ounce Limit	2.5 ounces	Two Ounces ¹¹	Caregivers may possess 2.5 ounces for each qualifying patient the caregiver is connected to through the state's registry, but no more than 5 ounces total	2 ounces
Plant Limit	Six in an enclosed locked facility (Applies to designated individual)	See note below ¹¹	Caregivers may possess 12 plants stored in an indoor facility for each qualifying patient the caregiver is connected to through the state's registry, but no more than 24 plants total	2 mature plants, and 7 immature plants
Exemptions			Compassion centers are exempt	
Offenses Created				
Fraudulent Representation of a Medical Condition to Obtain an ID Card				
Fraudulent Representation to Law Enforcement Relating to Medical Marijuana		X	X	X
Fraudulent Use or Theft of an ID Card		Sale or transfer of ID card		
Counterfeit Production of ID Card				
Failure of Cardholder to Notify State of Change in Name, Address, Caregiver, or Physician	X		X	
Failure of Cardholder to Notify State That The Cardholder No Longer Has A Debilitating Condition			X	
Disclosing Confidential Information Maintained By Registry	X		X	
Willful Violation of Medical Marijuana Laws			X	

	Maine	New Jersey	Rhode Island	Vermont
Department/Agency in Charge/Contact				
Department In Charge	Department of Health and Human Services	Department of Health and Senior Services	Department of Health	Department of Public Safety
Agency In Charge			Office of Health Professions Regulation	Marijuana Registry
Contact			401-222-2828	(802) 241-5115
Creates Research Program				X
Clarifies that Insurance Will Not Be Required to Provide Coverage	X	X	X	X (Includes Medicaid)
State Uses Program To Monitor Dispensation of Marijuana		Statute requires the use of system that serves the same purpose as, and is "cross referenced" with the state PMP		
Allows Caregivers and Patients to Other Caregivers and Patients to Whom They Are Not Connected Through The State Registry			Must not exceed maximum possession limits	
Database Subject to HIPAA Privacy Protections			X	
Clarifies That An Employer Will Not Be Required To Provide Reimbursement For The Purposes of Workers' Compensation				X
Provides That A Penal Institution is Not Required to Accommodate Use				
State Honors Identification Card Issued By Another State	Allows visiting patients who meet qualification of another state to use for 30 days ⁸		X	
ID Cards Issued By Another State Do Not Qualify An Individual For Medical Use				
Creates Severability			X	

¹ Must be in the context of a proven bona-fide practitioner-patient relationship as defined, and must also state that the potential benefits of use would likely outweigh the health risks and the person's debilitating condition. Physicians must also: follow Chapter 11, *Use Of Controlled Substances In Treatment Of Pain* when certifying a patient; counsel patients as to the risks and benefits of the use of medical marijuana and provide their professional opinion concerning the balance of risks and benefits; demonstrate that a bona fide relationship between the patient and physician exists; agree to monitor the patient's on-going need for the medical use of marijuana; agree to retain and maintain records that support the decision to recommend the medical use of marijuana; and a nonbinding estimate of the length of time that the medical use of marijuana is needed for the treatment of the debilitating medical condition. Physicians must also specify the diagnosis of the debilitating medical condition, including; provide a description of the ordinary medical or surgical measures for intractable pain that the patient has not responded to for more than 6 months; or a description of the symptoms resulting from a chronic or debilitating disease or medical condition or its treatment that satisfies the criteria; Patients must disclose the medical use of marijuana to their physicians, and must also remain under the continuing care of the physician.

²Legal guardians in Maine must sign a consent form that would allow the commissioner to refer the minor patient to be examined by or their medical records reviewed by a pediatrician and psychiatrist. Prior to approving an application for a minor the commissioner or the commissioner's designee must have received confirmation from a pediatrician and a psychiatrist chosen by the commission or commissioner's designee from a list maintained by the advisory board, that the pediatrician and psychiatrist have reviewed the medical file of or examined the qualifying patient and that in their professional opinions the qualifying patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

³For incapacitated adult patients, the legal guardian must agree to the same requirements. Applications for incapacitated adults must also present

a copy of the legal documentation issued by the court which names the guardian; or a copy of the incapacitated adult patient-applicant's durable health care power of attorney.

⁴Application for minors are deemed approved within 10 days if the required statements from a physician and psychiatrist have been received.

⁵Definition of primary caregiver includes nursing facilities and hospices that take care of qualifying patients. Such facilities: are prohibited from cultivating marijuana; must have ID cards for staff members authorized to administer marijuana and purchase marijuana for patients; must maintain trip tickets for every purchase of marijuana; must adhere to daily inventory requirements; and must store marijuana in compliance with controlled substance storage requirements

⁶Individuals convicted of violating a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more are prohibited from serving as primary caregivers. Creates exceptions for: offenses for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; and offenses that consisted of conduct that would have been permitted under this chapter.

⁷Creates exceptions if failing to do so would put the school, employer or landlord in violation of federal law or cause it to lose a federal contract or funding. Also allows a landlord to: place a restriction on the administration or cultivation of marijuana on premises when that administration or cultivation would be inconsistent with the general use of the premises; and prohibit the smoking of marijuana for medical purposes on the premises of the landlord if the landlord prohibits all smoking on the premises and posts notice to that effect on the premises.

⁸Visiting patients are prohibited from obtaining marijuana in Maine based on a registry ID card from another jurisdiction.

⁹Provides that an individual will not be disqualified from serving as a primary caregiver if the individual has demonstrated to the Commissioner of the Department of Health and Senior Services clear and convincing evidence of rehabilitation. When making a determination, requires the Commissioner to consider: the nature and responsibility of the position which the convicted individual would hold, has held, or currently holds; the nature and seriousness of the crime or offense; the circumstances under which the crime or offense occurred; the date of the crime or offense; the age of the individual when the crime or offense was committed; whether the crime or offense was an isolated or repeated incident; any social conditions which may have contributed to the commission of the crime or offense; and any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

¹⁰Individuals who have been convicted of a felony drug offense may not serve as a caregiver, unless the Department of Health waives this restriction for a specific individual. Additionally the Department of Health is required to allow a person to serve as a primary caregiver if the Department determines the offense was for conduct that occurred prior to the enactment of Rhode Island's medical marijuana legislation if such conduct would have been protected under the legislation; or that the person was prosecuted by an authority other than the state for acts that are protected by Rhode Island's medical marijuana statutes.

¹¹In New Jersey, home growth is prohibited and physicians are required to provide written instructions for the total amount of usable marijuana a treatment center may dispense to a patient in a 30 day period. The maximum amount that may be dispensed in a 30 day period is two ounces.

¹²Must be in the context of a bona-fide practitioner-patient relationship as defined, and must also state that the potential benefits of use would likely outweigh the health risks and the person's debilitating condition.

¹³Allows for a conviction that occurs after the effective date of the act, that is for a violation of federal law related to possession or sale of marijuana that is authorized under the act.

¹⁴Patients must submit a verification sheet stating: that a "bona fide doctor-patient relationship" defined as, a treating or consulting relationship of not less than six months duration, in the course of which a physician has completed a full assessment of the registered patient's medical history and current medical condition, including a personal physical examination, exists between the patient and the physician; the debilitating medical condition is of recent or sudden onset and the patient has not had a previous physician who is able to verify the nature of the disease and its symptoms; a statement that reasonable medical efforts have been made over a reasonable amount of time without success to relieve the symptoms; that the patient has a debilitating medical condition; and physician contact information.