

# Medical Marijuana Laws and Regulations for Patients, Caregivers and Physicians: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont



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	<b>Connecticut</b>	<b>Maine</b>	<b>Massachusetts</b>	<b>New Hampshire</b>	<b>Rhode Island</b>	<b>Vermont</b>
	Conn. Gen Stat. §§ 21a-408 to 21a-408o; Conn. Agencies Regs. 21a-408-1 to 21a-408-70	15 ME Rev. Stat. § 5821-A; 17-A ME. Rev. Stat. § 1111-A; 22 ME Rev. Stat. §§ 2421 to 2430-B; 26 ME Rev. Stat. § 772; 10-144 Code Me. R. ch. 122, §§ 1 to 11	Mass. Gen. Laws ch 94C §§ 1-2 to 1-17	NH Rev. Stat Ann §§ 126-X:1 to 126-X:11	RI Gen. Laws §§ 21-28.6-1 to 21.28.6-12; RI Admin. Code §§ 31-2-7:1.0 to 11.0; §§ 60-1-224 1 to 10	VT Stat. Ann. tit. 18 §§ 4471 to 4474l; VT Admin. Code 17-2-3:1 to 17-2-3:12
<b>State Registration</b>						
Identification Cards Issued to Registered Users, Caregivers and Dispensing Agent		X	X	X	X	X
Registry of Authorized Users, Physicians and Primary Caregivers Maintained by the State	X	X	X	X	X	X
Requires Development of 24-Hour Verification System for Law Enforcement						X
<b>Individuals Allowed Access to Registry</b> <i>*Only categories listed below appear in state laws which are the subject of this chart. Other categories that appear in other state statutes do not appear below if they are not applicable to the subject states in this chart.*</i>						

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<b>Individuals Allowed Access to Registry (continued)</b>						
Authorized Employees of Administrative Department to Perform Official Duties		X	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 (access granted for investigating or prosecuting a violation of the law)	X	X	X	Department may disclose validity of ID card by confirming registry ID number	Department may verify identity of cardholders and dispensary, if any
To Treating Physicians and Primary Caregivers	X (pharmacists also)	X				
Pursuant to A Court Order		X				
With The Written Permission of the Patient or Legal Guardian		X				
Patients With Regard to Primary Caregiver or Patient's Information	X					
Public or Private Entities for Research or Educational Purposes, Provided no Individually Identifiable Health Information is Disclosed	X					
Licensed Dispensary	X					
<b>Application Information Required From Patient, Caregiver or Physician Before Placement in Registry</b>						
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	X	X	X	X	X	X

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<b>Application Information Required From Patient, Caregiver or Physician Before Placement in Registry (continued)</b>						
Name		Patient, Caregiver, Physician	Patient, Caregiver	Patient, Caregiver, Physician	Patient, Physician, Caregiver	Requires patient, caregiver and physician to submit unspecified contact information
Address		Patient, Caregiver, Physician	Patient (unless homeless), Caregiver	Patient (unless homeless), Caregiver, Physician	Patient, Physician, Caregiver	
Date of Birth		Patient, Caregiver	Patient, Caregiver	Patient, Caregiver	Patient, Caregiver	
Driver's License or ID Card Number		Patient, Caregiver				ID required for patient and caregiver
Telephone Number		Physician		Physician	Physician	Physician contact info
Proof of Residency						
Patient Signature						X
Consent of Caregiver to A Criminal Background Check						
Social Security Number/Patient ID #						
Duties of Primary Caregiver						
Medical License # of Physician						X

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<b>Application Information Required From Patient, Caregiver or Physician Before Placement in Registry (continued)</b>						
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						
Length of Time the Patient Has Been Under the Care of the Practitioner						
Name, Address and Phone Number of Treatment Center Patient Will Use				X		
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						
An Indication Regarding Whether or Not the Patient Would Like to Be Notified of Any Clinical Studies About Marijuana's Risk or Efficacy					X	

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<b>Application Information Required From Patient, Caregiver or Physician Before Placement in Registry (continued)</b>						
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
Photograph				Patient		
Statement That the Physician is Licensed in Good Standing and Possesses an Active Controlled Dangerous Substance Registration						
Statement that the Physician Has an Ongoing Responsibility for the Assessment, Care and Treatment of the Patient						
<b>Additional Steps/Information That Must Be Submitted Before Use Can Be Approved for Minors</b>						
Two Physicians Must Diagnose the Minor With A Debilitating Condition and Submit Written Certification		X				
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			X	

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<b>Additional Steps/Information That Must Be Submitted Before Use Can Be Approved for Minors (continued)</b>						
Parent/Guardian Must Consent in Writing to: Agree to Serve As the Minor's Caregiver		X			X	
Parent/Guardian Must Consent in Writing to: Agree to Control the Acquisition of Marijuana, The Dosage and Frequency of Use		X			X	
Requires Physician to Perform Follow Up Services to Track Effectiveness of Treatment						
<b>Information on ID Cards</b>						
Name		X				X
Address		X				
Date of Birth		X				
Social Security Number						
Photo of ID Cardholder		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	
Primary Caregiver Information Included on Patient's Card		X				
Patient's Information Included on Primary Caregiver's Card		X				
Phone Number of Administrative Agency						

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<b>Information on ID Cards (continued)</b>						
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				
Indication if Cardholder is Patient or Caregiver						
Other Information As Determined By The State						
Period of Time an ID Card is Valid	Certification is valid for 1 year	1 Year			2 Years	1 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; 45 days for all other applications			35 Days	
Requirement to Notify State of Change in Name, Address, Physician, or Primary Caregiver	Within 5 days	Within 10 days; also applies for change in marijuana growing designation or loss of card			Within 10 Days	
Must Notify if Card is Lost or Stolen		X			X	



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<b>Information on ID Cards (continued)</b>						
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)			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
<b>Primary Caregiver Conditions and Requirements</b>						
Minimum Age	18	21	21	21	21	21
Disqualification For A Felony Conviction/ Probation or Parole	Specified drug convictions	X		For felony or felony drug offense	For felony drug conviction	For conviction of a drug-related crime
Maximum Number of Patients a Primary Caregiver May Assist	1	5		5 <sup>1</sup>	5	1
Caregiver is Allowed to Receive Compensation		Compensation for costs			Reimbursement for costs	
Maximum Number of Designated Caregivers a Qualified User Is Allowed	1			1	2	1
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				
<b>Qualifying Diseases and Debilitating Conditions</b>						
Cancer	X	X	X	X	X	X
Glaucoma	X	X	X	X	X	
HIV/AIDS	X	X	X	X	X	X
Hepatitis C		X	X	X	X	

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<b>Qualifying Diseases and Debilitating Conditions (continued)</b>						
Alzheimer's Disease		X		X	X	
Nail Patella		X				
Amyotrophic Lateral Sclerosis		X	X	X		
Cachexia/Wasting Syndrome	X	X		X	X	X
Severe/Chronic Pain				X	X	X
Severe Nausea		X		X	X	X
Seizures	Epilepsy	X		X	X	X
Intractable Skeletal Muscular Spasticity						
Anorexia				X (Induced by chemotherapy)		
Severe and Persistent Muscle Spasms - MS/Crohn's	X	X	X	X	X	X
Damage to the Nervous Tissue of The Spinal Cord, With Neurological Indication of Intractable Spasticity	X			X		
Appetite Loss						
Cramping						
Arthritis						
Inflammatory Bowel Disease						
Severe, Debilitating, Chronic Pain		X (must not have responded to ordinary medical or surgical treatment for more than 6 months)		X		X
Migraine Headaches						

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<b>Qualifying Diseases and Debilitating Conditions (continued)</b>						
Admission to Hospice Care/Terminal Illness						
Any Other Chronic or Persistent Medical Condition						
Parkinson's Disease	X		X			
Posttraumatic Stress Disorder	X					
Other Medical Conditions Approved by the State	X	X (pursuant to petition and approval by advisory board)			X (pursuant to a petition)	
Other Medical Conditions as Determined By a Qualifying Patient's Physician			X	X (upon written certification)		
<b>Reasons an Application May Be Denied</b>						
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						

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<b>Reasons an Application May Be Denied (continued)</b>						
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						
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						
<b>Places Where/Occasions When Use Is Prohibited</b>						
Any Place Where Smoking Is Prohibited By Law						
Any Public Place	X	X (prohibits smoking)	X (clarifies that law does not require accommodation)	X	X	
Any Way That Endangers The Health or Well Being of Any Person	X					X
Where Exposure to Marijuana Smoke Effects The Health and Welfare of Children	X				X	

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<b>Places Where/Occasions When Use Is Prohibited (continued)</b>						
Grounds of a School, Recreation Center or Youth Center	X	X (prohibits possession on school grounds)	X (clarifies that law does not require accommodation)	X	X	X
On a School Bus	X	X (prohibits possession)	X (clarifies that law does not require accommodation)		X	X
Public Transportation	Bus	X (prohibits smoking)		X	X	X
Public Park or Beach				X		X
In a Correctional Facility		X (prohibits possession)	X (clarifies that law does not require accommodation)	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	X	X	X	X
Operating a Boat While Under the Influence		X	X	X	X	X
Operating an Aircraft While Under the Influence		X	X	X	X	

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<b>Places Where/Occasions When Use Is Prohibited (continued)</b>						
While Operating Vehicle Propelled or Drawn By Power		X (snowmobile or ATV)		X		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	X	X
<b>Statutory Protections for Patients and Caregivers for Medical Use of Marijuana as Defined By The State</b>						
Protected From Arrest, Prosecution or Penalty	X	X	X	X	X	X
Civil Penalty	X	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	X			X	

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<b>Statutory Protections for Patients and Caregivers for Medical Use of Marijuana as Defined By The State (continued)</b>						
Provides That Property Used in Connection With Medical Use Is Not Subject to Forfeiture	Provides that property must be returned upon court determination that individual is patient or caregiver	X	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	
Allows Medical Use of Marijuana To Be Used As An Affirmative Defense to Criminal Prosecution					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		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		X	

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<b>Statutory Protections for Patients and Caregivers for Medical Use of Marijuana as Defined By The State (continued)</b>						
Provides That Parents/Guardians Who Have Legal Custody of a Qualifying Patient Are Not Subject to Arrest or Prosecution						
<b>Statutory Protections for Physicians When Acting In Compliance With State Medical Marijuana Statutes</b>					<b>Includes nurses and pharmacists</b>	
Protection from Arrest or Prosecution	X		X (prohibits penalization in any manner or denial of any rights or privileges)	X	X	X
Civil Penalty	X			X	X	
Discipline from a Professional Licensing Board	X	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
<b>Reasons a Card May Be Revoked</b>						
It is Discovered Information on Application Was False						



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<b>Reasons a Card May Be Revoked (continued)</b>						
If a Cardholder Sells Marijuana to a Person Who Is Not Authorized to Use Marijuana				X		
Conviction of Another Marijuana Relate Offense						
Violation of a Section of the Act or Another Controlled Substances Law		X (Specified disqualifying drug offenses)	X (willful violation of medical marijuana act)	X	X	
Pursuant to A Court Order						
For Violating Confidentiality Requirements		Applies to caregivers				
The Discovery of Repeated Violations of Statute				X		
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				
If Patient Ceases to Have Debilitating Condition						
Failure to Notify State of Change in Name, Address, Physician or Primary Caregiver						

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<b>Possession Limitations for Patients and Primary Caregivers</b>		<b>Caregivers May Possess Max for Each Registered Patient</b>			<b>Total does not incl unusable marijuana, including up to 12 seedlings</b>	<b>Applies to collective amt that can be held by patient &amp; caregiver</b>
Ounce Limit		2.5 ounces in a 15-day period	No more than a 60-day supply	2 ounces of usable marijuana and any amount of un-usable marijuana	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		6 in an enclosed locked facility (Applies to designated individual)	Indiv with a demonstrated financial hardship, physical incapacity to access transportation, or lack of treatment center within reasonable distance may be issued a cultivation registration sufficient to maintain a 60-day supply		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

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<b>Possession Limitations for Patients and Primary Caregivers (continued)</b>						
Exemptions	Patients/ Caregivers may possess a 1 month supply as determined by the state administrative agency				Compassion centers are exempt	
<b>Offenses Created</b>						
Fraudulent Representation of a Medical Condition to Obtain an ID Card						
Fraudulent Representation to Law Enforcement Relating to Medical Marijuana	X (penalty is increased if fraud is related to a written certification)				X	X
Fraudulent Use or Theft of an ID Card			X			
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	

	Connecticut	Maine	Massachusetts	New Hampshire	Rhode Island	Vermont
<b>Offenses Created (continued)</b>						
Willful Violation of Medical Marijuana Laws					X	
<b>Department/Agency in Charge/Contact</b>						
Department In Charge		Department of Health and Human Services		Department of Health and Human 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	X (Includes Medicaid)
State Uses Program To Monitor Dispensation of Marijuana						
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	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		X		X	X	
ID Cards Issued By Another State Do Not Qualify An Individual For Medical Use						

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<b>Department/Agency in Charge/Contact (continued)</b>						
ID Cards Issued By Another State Do Not Qualify An Individual For Medical Use						
Creates Oversight Committee	X					X
Creates Severability					X	

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<sup>1</sup>If a qualifying patient and the designated caregiver each live more than 50 miles from the nearest treatment center, the designated caregiver may assist up to nine qualifying patients.