Things to Know Before You Apply

Minimum Requirements to Become a Designated Caregiver

- You must be at least 21 years old.
- You must never have been convicted of a felony.
- You must be designated as a caregiver on your patient’s application, and that patient must be approved for the Program.

Criminal History Records Check

Your initial application will not be considered complete until the NH Division of State Police, Department of Safety, has released the results of state and federal criminal history records check to the Program. This background check requires you to be fingerprinted, and requires an additional fee to the NH Division of State Police. Conducting the criminal records check can sometimes be a lengthy process. It is advisable to begin the criminal history records check process prior to submitting your application to the Program.

- Follow the instructions on the second page of the “Criminal History Record Information Authorization for Therapeutic Cannabis” form, which is attached to the end of the Caregiver Application and available on the Program’s website. Effective July 1, 2019, this form does not need to be notarized. An updated form will be made available.
- The Division of State Police will conduct a criminal history records check through its records and through the Federal Bureau of Investigation records, and upon completion of the records check, will release a copy of your criminal history record to the Program.
- In the event that, after two attempts, your electronic fingerprints are invalid due to insufficient pattern, the Program may, in lieu of a criminal history records check, accept police clearances from every city, town, or county where you have lived during the past 5 years. You will need to work with the Division of State Police to obtain these clearances.

Number of Qualifying Patients Allowed

You may be the Designated Caregiver for up to five Qualifying Patients. An exception to this limit is if both you and any Qualifying Patient over and above five live more than a 50-mile drive from the nearest Alternative Center (ATC), in which case you may be the Designated Caregiver for up to nine Qualifying Patients. For example, if you want to have six Qualifying Patients, both you and at least one of the six Qualifying Patients must live more than a 50-mile drive from the nearest ATC.

Compensation

You may receive compensation from your Qualifying Patient for actual costs, such as gas, tolls, and the costs of any cannabis products purchased, but not for any time or labor associated with assisting your Qualifying Patient(s) with their therapeutic use of cannabis.

Confidentiality

The Program will maintain the confidentiality of all personal information about applicants, Qualifying Patients, Designated Caregivers, and certifying medical providers submitted to the Program and contained in the confidential Registry database. Local and state law enforcement officers, however, are allowed to receive limited information from the Registry if a person has been arrested or detained, or when there is probable cause to believe either cannabis is possessed at a specific address or by a specific individual.
Things to Know After You Get Your Registry ID Card

Renewals
- A Designated Caregiver’s Registry ID Card is effective for one year.
- There is not a separate renewal application form.
- Submit your renewal application materials at least 30 days prior to your card’s expiration to prevent a lapse in your registration.
- A new criminal background check is not required for a renewal application. Instead, you must submit a signed “Designated Caregiver’s Attestation of No Felony Conviction” which is available on the Program’s website.
- If there is a lapse in your registration of more than 6 months, you will be required to have the results of a new criminal background check released to the Program.

Changes of Information
You are required to notify the Program in writing of changes to the following:
- **Name or Address.** You must report a change to your name or address within 10 days of the change. Use the “Change of Information/Lost Card” form to provide the new information. There is no fee associated with this change. A new Registry ID Card will be mailed to you within 20 days.
- **Qualifying Patient.** Use the “Caregiver Designation/Removal” form to end your designation as your patient’s caregiver. If you no longer have any Qualifying Patients, then you will receive a notice from the Program that your Registry ID Card has become void.

These forms are available on the Program’s website.

Notification of Felony Conviction
You must notify the Program immediately upon being convicted of a felony in this or any other state.

Lost Registry Identification Card
If you lose your Registry ID Card, whether due to loss, theft, or destruction, you must notify the Program in writing within 10 days of discovering the loss. Submit the “Change of Information/Lost Card” form along with a check or money order made payable to “Treasurer, State of New Hampshire” in the amount of $25. Within 5 days of receiving the form and the fee, the Program will re-issue a replacement card. You will not be able to purchase cannabis at an ATC without a valid Registry ID Card.

Death of a Qualifying Patient
You must notify the Program within 5 days of the death of a Qualifying Patient and dispose of any remaining cannabis in your possession, as described below.

Loss of All Qualifying Patients
Your Registry ID Card will become void after being notified by the Program that all the Qualifying Patients for whom you were acting as Designated Caregiver have either lost their status as Qualifying Patients or ended their designation of you as their caregiver. You must dispose of any remaining cannabis in your possession, as described below.

Disposal of Cannabis
If you cease to be a Designated Caregiver (due to your Registry ID Card expiring, or being voided or revoked), you must dispose of any cannabis in your possession within 10 days, as follows:
- You may transfer the cannabis to your Qualifying Patient, if you still have one, or to your patient’s new Designated Caregiver, if he or she has one;
- You may notify local law enforcement and request their assistance with disposing of the cannabis; OR
- You may render it unusable by mixing it with other ingredients, like soil, and then dispose of it.

Registry Identification Card Required
You must have your Registry ID Card with you at all times when possessing cannabis, especially outside your home. If you are found to be in possession of cannabis outside of your home and you do not have your Registry ID Card with you, you could be fined up to $100, and you may be subject to arrest.

Permitted Quantities of Cannabis
- You are permitted to purchase, from your patient’s ATC, 2 ounces of cannabis per Qualifying Patient during a 10-day period.
- You are not permitted to possess more than 2 ounces of cannabis per Qualifying Patient at any one time.
- You and your Qualifying Patient(s) combined cannot possess more than 2 ounces of cannabis per Qualifying Patient at any one time.

_Cultivation of Cannabis Prohibited_
You, and your Qualifying Patient, are prohibited from cultivating cannabis in any location.

_Designated Caregiver List of Qualifying Patients_
The Program will provide you with a current list of Qualifying Patients for whom you serve as Designated Caregiver. The Program strongly advises that you carry this document with you when transporting or possessing cannabis. The information contained in the document is confidential; however, it may be shared with law enforcement officers in order to verify the number of Qualifying Patients you have, and the total amount of cannabis you can possess.

_Transportation_
When transporting cannabis, the Program strongly advises you to:
- Keep cannabis in a locked container in the trunk or cargo portion of your vehicle.
- Keep cannabis in its original labeled packaging from the ATC.
- Have your Registry ID Card with you.
- Have your current list of Qualifying Patient(s) provided to by the Program (described above).

_Diversion of Cannabis_
Any sale or diversion of cannabis to anyone who is not allowed to possess cannabis pursuant to law is punishable as a class B felony and will result in the revocation of your Registry ID Card, and you may be subject to criminal penalties for the illegal sale of cannabis.

_Revocation_
Your Registry ID Card may be revoked by the Program for any violation of law or rule. If the Program revokes your card, you have the right to appeal to the Department’s Administrative Appeals Unit. A future application for a Registry ID Card may be denied if you have a prior revocation.

Depending on the nature of the violation which caused your Registry ID Card to be revoked, you may be subject to other penalties established in law, including criminal penalties.