

**NH Department of Health and Human Services
Therapeutic Cannabis Program**

General Program Information for Qualifying Patients

Things to Know Before You Apply

Minimum Requirements to Become a Qualifying Patient

- You must be a resident of New Hampshire.
- You must be diagnosed by a medical provider as having a qualifying medical condition.
- You must apply for and be issued a valid Registry ID Card by the Therapeutic Cannabis Program (TCP/Program).

Qualifying Medical Conditions

Your medical provider must certify that you have a qualifying medical condition established in law, as follows:

- Moderate to severe chronic pain; OR
- Severe pain that has not responded to previously prescribed medication or surgical measures or for which other treatment options produced serious side effects; OR
- Moderate or severe post-traumatic stress disorder; OR
- Any combination of a qualifying diagnosis from (1) AND a qualifying symptom or side effect from (2):
 1. Cancer; glaucoma; positive status for human immunodeficiency virus; acquired immune deficiency syndrome; hepatitis C; amyotrophic lateral sclerosis; muscular dystrophy; Crohn's disease; multiple sclerosis; chronic pancreatitis; spinal cord injury or disease; traumatic brain injury; epilepsy; lupus; Parkinson's disease; Alzheimer's disease; ulcerative colitis; Ehlers-Danlos syndrome; or one or more injuries or conditions that has resulted in one or more qualifying symptoms under (2); AND
 2. Elevated intraocular pressure; cachexia; chemotherapy-induced anorexia; wasting syndrome; agitation of Alzheimer's disease; severe pain that has not responded to previously prescribed medication or surgical measures or for which other treatment options produced serious side effects; constant or severe nausea; moderate to severe vomiting; seizures; or severe, persistent muscle spasms.

Medical Providers

Talk with any of your current medical providers about your interest in the Therapeutic Cannabis Program. Ask if they will certify you for the Program by issuing you a "Written Certification" (available on the Program's website). Any physician, physician assistant, or advanced practice registered nurse (APRN) who is licensed in NH is *permitted* to certify you for the Program. In addition, physicians and APRNs (but not physician assistants) licensed in Maine, Massachusetts, or Vermont are *permitted* to certify you. Out-of-state providers must be primarily responsible for your care related to your qualifying medical condition. State law does not require any medical provider to issue Written Certifications to their patients.

There is not a public list of medical providers who participate in the Program. The Program cannot refer you to a provider. You must work with your current providers or develop a relationship with a new provider to become certified.

Provider-Patient Relationship

You must have a "provider-patient relationship" with your certifying medical provider, during which your provider has conducted a full assessment of your medical history and current medical condition, including an in-person physical examination. Examination via telemedicine, such as over the phone or via the Internet, is not permitted.

Your certifying medical provider is required to:

- Explain to you the potential health effects of the therapeutic use of cannabis.
- Provide follow-up care and treatment in order to determine the health effects of cannabis for treating your qualifying medical condition.

Your certifying medical provider may:

- Issue a Written Certification for less than one year.
- Send instructions to your selected ATC, such as the type of cannabis to be dispensed or the means by which the cannabis should be administered. The ATC is required to follow those instructions when dispensing cannabis to you.
- Rescind the Written Certification at any time and for any reason if, in his or her opinion, you should no longer be certified for the therapeutic use of cannabis. Upon notice from the Program, your Registry ID Card will be voided.

Release of Medical Records

On your application, you must sign a release which authorizes the release of medical information by your certifying medical provider to the Program if more information about your qualifying medical condition is required. For verification purposes, the Program may request, and your provider must supply, a copy of the records which support the provider's certification of a qualifying medical condition.

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.

Designated Caregivers

If you need assistance with your therapeutic use of cannabis, including help with obtaining cannabis from your selected Alternative Treatment Center (ATC), you may designate someone to be your caregiver. You may do this on your application or any time after you've been approved. You may designate only one caregiver at a time (exceptions for minors and for adults with co-guardians are described below). Your caregiver must submit a separate "Designated Caregiver Application" and a \$50 application fee, and be issued a Registry ID Card before your caregiver can assist you with your therapeutic use of cannabis. The caregiver's Registry ID Card will allow that person to legally possess cannabis on your behalf and to legally purchase cannabis from the Alternative Treatment Center you select.

To be approved as a Designated Caregiver an individual must be at least 21 years old and must never have been convicted of a felony. Your caregiver must undergo a state and federal criminal background check, which includes being fingerprinted, and which requires an additional fee to the NH Department of Safety. You, the patient, do not need to undergo a criminal background check.

You may use the "Caregiver Designation/Removal" form, available on the Program's website, to designate a caregiver after you've submitted your application or if you want to change your current Designated Caregiver.

Alternative Treatment Centers

On your application you are required to select an Alternative Treatment Center (ATC) for the dispensing of therapeutic cannabis. You may select any of the ATCs, but you may select only one at any given time. You can purchase cannabis only from the ATC you have selected. You may change your ATC at any time by completing a "Change of Information/Lost Card" form and submitting it to the Program.

The ATCs in New Hampshire are as follows:

- **Prime Alternative Treatment Centers of NH**, with a dispensary located in **Merrimack**.
380 Daniel Webster Highway, Merrimack, NH 03054
Website: www.primeatc.com. Email: info@primeatc.com. Phone: (603) 262-5035
- **Sanctuary ATC**, with dispensaries located in **Plymouth** and **Conway**.
568 Tenney Mountain Highway, Plymouth, NH 03264
234 White Mountain Highway (Route 16), Conway, NH 03818
Website: www.sanctuaryatc.org. Email: info@sanctuaryatc.org. Phone: (603) 346-4619
Note: The Plymouth and Conway dispensaries are considered to be the same ATC. Selecting Sanctuary ATC allows you to go to both locations.
- **Temescal Wellness**, with dispensaries located in **Dover** and **Lebanon**.
367 Route 120, Unit E-2, Lebanon, NH 03766
26 Crosby Road, Units 11-12, Dover, NH 03820
Website: www.temescalwellness.com. Email: info@temescalwellness.com. Phone: (603) 285-9383
Note: The Dover and Lebanon dispensaries are considered separate ATCs. Selecting one location does not allow you to go to the other location.

Requirements for Minor Patients (under 18 years of age)

- The Patient Application must be completed by the applicant's custodial parent or legal guardian.
- The custodial parent or legal guardian must apply for and be approved as the applicant's Designated Caregiver.
- A minor patient may have two Designated Caregivers, both of whom must be the patient's parent or legal guardian.
- Two Written Certification forms are required, to be completed by two separate medical providers. One of the medical providers must be a pediatrician.
- In cases where a minor applicant's legal guardian is not a custodial parent, the legal guardian must submit proof of legal guardianship with the application. Submit a copy of the entire order that shows the powers granted to the guardian, which must include powers related to healthcare decisions.

Requirements for Adult Patients Who Have a Legal Guardian or Co-Guardians

- The Patient Application must be completed by the applicant's legal guardian.
- Where a court has appointed co-guardians for an adult qualifying patient, the patient may have two Designated Caregivers, both of whom shall be court appointed co-guardians for the patient.
- The legal guardian(s) must submit proof of guardianship with the application. Submit a copy of the entire order that shows the powers granted to the guardian, which must include powers related to healthcare decisions.

Things to Know After You Get Your Registry ID Card

Renewals

- A Registry ID Card is effective for one year (exceptions are described above under "Medical Providers").
- There is no difference between the initial and the renewal application process.
- 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.

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.
- *Alternative Treatment Center.* Use the "Change of Information/Lost Card" form to request an ATC change. There is no fee to change your ATC, and you will not be issued a new Registry ID Card.
- *Designated Caregiver.* Use the "Caregiver Designation/Removal" form to request a change of caregiver. There is no fee to change your caregiver, and you will not be issued a new Registry ID Card.

These forms are available on the Program's website.

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

Within 5 days of learning of the death of a qualifying patient, a surviving family member, caretaker, executor, or the patient's Designated Caregiver shall notify the Program that the Qualifying Patient has died, and any remaining cannabis shall be disposed of, as described below.

Disposal of Cannabis

If you cease to be a Qualifying Patient (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 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 selected ATC 2 ounces of cannabis during a 10-day period.
- You are not permitted to possess more than 2 ounces of cannabis at any one time.
- If you have a Designated Caregiver, you and your caregiver combined cannot possess more than 2 ounces of cannabis at any one time.

Cultivation of Cannabis Prohibited

You, and your Designated Caregiver if you have one, are prohibited from cultivating cannabis in any location.

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.

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.