

Frequently Asked Questions

What is medical marijuana?

Under Act 16 of 2016 (the Pennsylvania Medical Marijuana Act or the Act), the term “medical marijuana” refers to marijuana obtained for a certified medical use by a Pennsylvania resident with a serious medical condition and is limited by statute in Pennsylvania to the following forms: Liquid, Tincture, Pill, Oil, Topical forms, including gel, creams, or ointments. A form medically appropriate for administration by vaporization or nebulization, excluding dry leaf or plant form.

Why was medical marijuana use approved in Pennsylvania?

Studies have shown that medical marijuana can assist patients suffering from certain serious medical conditions by alleviating pain and improving their quality of life.

What is a “serious medical condition” under the Act?

The Act defines a “serious medical condition” as any one of the following:

- Amyotrophic Lateral Sclerosis.
- Autism.
- Cancer.
- Crohn’s Disease.
- Damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity.
- Epilepsy.
- Glaucoma.
- HIV (Human Immunodeficiency Virus) / AIDS (Acquired Immune Deficiency Syndrome).
- Huntington’s Disease.
- Inflammatory Bowel Disease.
- Intractable Seizures.
- Multiple Sclerosis.
- Neuropathies.
- Parkinson’s Disease.
- Post-traumatic Stress Disorder.
- Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective.
- Sickle Cell Anemia.

Does the Medical Marijuana Program protect against federal prosecution?

No. The U.S. Department of Justice (DOJ) has the authority to enforce civil and criminal federal laws relating to marijuana possession and use, regardless of state law. Growing, distributing, and/or possessing marijuana in any capacity, except through a federally-approved research program, is a violation of federal law, and no state or local law provides a legal defense to a violation of federal law. In light of current DOJ guidance, however, it may be unlikely that federal authorities would bring civil enforcement actions or criminal investigations and

prosecutions against growers/ processors, dispensaries, physicians, seriously ill individuals or caregivers as long as they are acting pursuant to the Act. A memorandum from the DOJ (PDF), dated August 29, 2013, explains the priorities of federal authorities regarding marijuana possession and use, including state medical marijuana programs.

Who will be able to obtain medical marijuana?

Under the Pennsylvania Medical Marijuana Act, patients who are residents of the commonwealth and have a serious medical condition as certified by a physician will be able to obtain medical marijuana at dispensaries that are located in the commonwealth and have a validly-issued permit from the department. A “caregiver” who is designated by the patient and is registered with the department will be able to obtain medical marijuana from a dispensary located in the commonwealth that has a validly- issued permit from the department in order for the caregiver to deliver medical marijuana to the patient.

Who is considered a caregiver?

The Act defines a “caregiver” as an individual 21 years of age or older, unless otherwise authorized by the department, who is:

- Designated by a patient;
- A parent, legal guardian or spouse of a patient that is under the age of 18; and/or
- Designated to be a caregiver by a parent, legal guardian or spouse of an individual approved by the department if no parent or legal guardian is appropriate or available.
- Caregivers must register with the department and complete a criminal history background check in order to receive a medical marijuana ID card.

Who must have a caregiver?

Patients under the age of 18 are required to have a caregiver.

Can a person be a caregiver for more than one patient?

Yes. Caregivers may provide care for up to five patients.

What is the Patient and Caregivers Registry?

The Patient and Caregivers Registry is an online database created to allow patients and caregivers to participate in the medical marijuana program.

What is my patient profile?

Your patient profile contains all your relevant patient information. Each time you log onto the patient and caregiver registry, you will be able to access this information.

Who needs to register in the Patient and Caregivers Registry?

If you are a patient, or caregiver of a patient, you need to create a profile in the registry and complete the registration process to participate in the program.

What is a patient certification?

A practitioner approved by the Department of Health can issue a patient certification. The certification confirms that you have one of the 17 serious medical conditions defined in the Act, and that medical marijuana may benefit you. You cannot participate in the program without a patient certification.

How do I get a patient certification?

An approved practitioner can issue your patient certification. If you do not have an approved practitioner, you can view a list of approved practitioners here (PDF).

Do I need a patient certification to create my patient profile in the registry?

No. You should create your patient profile before obtaining a patient certification. However, to complete registration you will need a patient certification from an approved practitioner. If you do not have an approved practitioner, you can view a list of approved practitioners here (PDF).

How do I find a doctor who participates in the medical marijuana program?

If you do not have an approved practitioner, you can view a list of approved practitioners here (PDF).

How do I sign up or register for the program?

You may register for the program through the Patient and Caregivers Registry.

What information do I need to have available when I register?

Patients under the age of 18 are required to have a caregiver apply on their behalf. Patients over the age of 18 (and caregivers) need to have proof of Pennsylvania residency in the form of a Pennsylvania driver's license or a Pennsylvania state issued identification card with their current address.

If I'm home-bound can I still register for the medical marijuana program?

If you are home-bound, you may either register yourself and designate up to two caregivers or you may have a caregiver apply on your behalf. Your caregiver, once approved, can pick up your medical marijuana at an approved dispensary.

Can minors with serious medical conditions get medical marijuana?

Yes. Patients under the age of 18 with a serious medical condition may get medical marijuana through a caregiver.

How do I sign up or register a minor in the program?

Minors under the age of 18 require a caregiver to register on their behalf. If you are the minor's parent, legal guardian or spouse you can serve as your minor's caregiver by registering as their caregiver. If you are not the minor's parent, legal guardian or spouse, an 'authorization to designate a third-party caregiver' form must be completed. This form can be downloaded from the caregiver's profile. Once completed, you will upload the form in your caregiver profile.

I care for a patient with a disability. How can I register them for the program?

If the patient is under the age of 18, they are required to have a caregiver apply on their behalf. If a patient is 18 years of age or older and able to register themselves, they may do so. If they cannot, a caregiver may register for them.

Can you register as a patient for the program if you have a criminal record?

You are not required to complete a background check if you are registering as a patient. However, all caregivers must complete a background check, and any criminal record will be reviewed prior to their approval.

When will I get my medical marijuana ID card?

The department is currently developing the process to obtain a medical marijuana ID card. The department anticipates mailing ID cards to patients and caregivers later this year. More information will be available closer to that time.

How much is the medical marijuana ID card?

The fee for the card is \$50. Individuals providing evidence that they participate in the following government programs may qualify for a discounted medical marijuana ID card: Medicaid, PACE/ PACENET, CHIP, SNAP, and WIC.

Where can I get medical marijuana?

Once you have received your medical marijuana ID card, you can purchase medical marijuana at a dispensary in Pennsylvania that has been issued a permit by the Department of Health.

What information do I need to register to become a patient's caregiver?

In order to register as a patient's caregiver, you must have proof of Pennsylvania residency in the form of a Pennsylvania driver's license or a Pennsylvania state issued identification card with your current address.

What is a caregiver profile?

Your caregiver profile will contain all relevant caregiver information and will be stored in the patient and caregiver registry.

Can I register as a caregiver for someone who I am not related to?

Adult patients can designate any individual as their caregiver. All caregivers must complete a background check. If you are a caregiver for a minor but not the patient's parent, legal guardian or spouse, you will need to be designated as a third-party caregiver. This is done by filling out and 'authorization to designate a third-party caregiver' form. Once completed, you will upload the form back in your caregiver profile.

Can I register as a caregiver if I have a criminal record?

All caregivers must complete a background check. Any criminal record will be reviewed prior to approval. You cannot be approved as a caregiver if you have been convicted of a criminal offense that occurred within the last five years relating to the sale or possession of drugs, narcotics or controlled substances.

Can a caregiver have more than one patient?

Yes. Caregivers may provide care for up to five patients.