

# Rhode Island Department of HEALTH



## Medical Marijuana Program (MMP)

### Frequently Asked Questions (FAQs)

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#### *For Patients:*

**1. Why does Rhode Island have a medical marijuana program (MMP)?**

The Rhode Island General Assembly directed the Department of Health to create a medical marijuana program. The “Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act” was enacted on January 3, 2006 (Public Laws 05-442 and 05-443. To see the law: [www.rilin.state.ri.us/PublicLaws/law05/law05443.htm](http://www.rilin.state.ri.us/PublicLaws/law05/law05443.htm)T).

**2. What is the purpose of the MMP?**

The MMP will permit Rhode Island residents with debilitating medical condition(s) to use marijuana if a physician certifies in writing that the marijuana may mitigate the symptoms of the condition(s) **and** that the potential benefits of using medical marijuana would likely outweigh the health risks to the patient. The Medical Marijuana Act provides registered patients and caregivers with authority, under certain circumstances, to possess a limited amount of marijuana without violating state law. The Medical Marijuana Act does not alter federal statutes and regulations prohibiting the possession and use of marijuana.

**3. Can the MMP refer me to a physician who has submitted forms, letters, or medical records for his/her patients?**

No, the MMP does not provide a physician referral list.

**4. Who must have a registry identification card?**

Patients and caregivers.

**5. Does the Rhode Island Medical Marijuana Act recognize registry identification cards from other states?**

Yes. If you have a medical marijuana registry identification card from any other state, U.S. territory, or the District of Columbia you may use it in Rhode Island. It has the same force and effect as a card issued by the Rhode Island Department of Health.

**6. Is confidentiality protected?**

Yes. The MMP does not give out lists of patients or physicians. Law enforcement personnel may contact the MMP only to verify a specific patient or caregiver random registry identification number. MMP computer files are secure and paper files are kept locked when not in use. There are stiff penalties in the law if a patient’s confidentiality is breached.

**7. Where do I get the medical marijuana?**

The MMP is **not** a resource for marijuana and does not have information to give to patients related to the supply of marijuana.

**8. Why can't I go to a pharmacy to fill a prescription for medical marijuana?**

Pharmacies can only dispense medications "prescribed" by licensed medical practitioners with prescriptive privileges. The federal government classifies marijuana as a "Schedule I" drug, which means licensed medical practitioners cannot prescribe it.

**9. What does a patient have to pay for a MMP registry identification card?**

The non-refundable, non-returnable fee for a new application (or a renewal after one year) is \$75.00 *or* \$10.00 if the patient provides satisfactory evidence to the Department of being a recipient of Medicaid or Supplemental Security Income (SSI).

**10. I do not have the money for the application fee. Is it a one-time payment? Can it be waived? Can I make installment payments? Will my insurance pay? Can I pay with my credit card?**

The answer to all these questions is "no." The fee must be paid in full with each new or renewal application. Make your check or money order payable to "General Treasurer, State of Rhode Island" and submit with your application form. The fee is non-refundable and non-returnable.

**11. What happens to my application once I mail it?**

The MMP will review your application and validate it within 30 days to make sure it is complete and all parts are current. If your application is complete, you will be asked to come in to the Department at a specified date and time to have a photograph taken for the photo identification card. This card should be issued within 5 days of your application approval.

During the application process, we will mail a "verification letter" to your attending physician. The purpose of this letter is to verify that you are a patient of this physician, that you are affected by a debilitating medical condition covered by the Rhode Island Medical Marijuana Act, and that medical marijuana may reduce the symptoms of your condition.

**12. What if I don't send in all the required parts of my application?**

It is your obligation to send in a complete application. If the application is incomplete, it will be returned to you.

**13. Do I need to keep a copy of my application and any other information I send to the MMP?**

Yes! You are strongly urged to keep copies of everything you send to the MMP at any time now or in the future.

**14. Do I have to tell the MMP if I change my name, mailing address, or add/remove a designated primary caregiver?**

The answer to all these questions is "yes." You are required to tell the MMP in writing of any such changes within 10 days of the change. There is a \$10.00 non-refundable, non-returnable fee for processing a change in name or address.

The MMP does not accept changes of information over the telephone. The MMP only accepts written changes about the patient's address or designated primary caregiver(s) from the registered patient on the "Change Notice" form. You may send your changes to the MMP by mail or bring it in person.

If you make a change after your original registry identification card has been issued, the MMP will issue a new card to you within 10 days. Please destroy the old card when the new card arrives.

**15. Why do I need to have a physician sign and date the form? Why can't I just provide my medical records?**

According to the Rhode Island Medical Marijuana Act {Section 21-28.6-3(10) RIGL}, a Rhode Island-licensed physician must provide a written certification to the Department stating that the patient has a qualifying debilitating medical condition **and** that the potential benefits of using medical marijuana would likely outweigh the health risks to the patient.

The MMP will contact the patient's physician during the application process to verify the patient is under that physician's care.

**16. Who is a primary caregiver?**

A primary caregiver is a person who is at least twenty-one (21) years old and who has agreed to assist with a person's medical use of marijuana and who does not have a felony drug conviction. A primary caregiver may assist no more than five (5) qualifying patients with their medical use of marijuana.

A primary caregiver should not be confused with a patient's primary care physician.

**17. Do I have to tell my landlord that I am a patient in the MMP? Can my landlord evict me if I am a patient in the MMP? Can I live in subsidized housing and be a patient in the MMP?**

It is up to you to decide whether or not to tell your landlord that you are a patient in the MMP. The law {Section 21-28.6-4(b) RIGL} states that no landlord may refuse to lease to you solely because of your status in the MMP. Nothing in the MMP law specifically addresses whether or not a person can be a MMP patient and live in subsidized housing. If you have questions about these important issues, the MMP recommends you talk to your personal attorney to learn about your rights and protections.

**18. What should I tell my employer if I am subjected to a drug test?**

The Rhode Island Medical Marijuana Act states that employers are not required to make accommodations for employees who use medical marijuana.

**19. Will the MMP notify law enforcement?**

The MMP will not give out the names of either patients or caregivers. The MMP will verify random registry identification numbers, if law enforcement contacts the MMP to verify the authenticity of a registry identification card.

The MMP is required to notify local law enforcement of the total number of registered persons in their jurisdiction.

***For Health Care Providers:***

**20. I am a health care provider. Do I have to administer medical marijuana in the health care facility in which I work?**

No. Nothing in the law requires you to administer, or assist in the administration of, medical marijuana. Additionally, licensed health care facilities are not required to make accommodations for their patients to use medical marijuana.

**21. Why are only physicians (Medical Doctors or Doctors of Osteopathy) qualified to sign the patient certification form? Why not chiropractors, physician assistants, or nurse practitioners?**

The Rhode Island Medical Marijuana Act states that a "practitioner" licensed under the provisions of Rhode Island General Laws Chapter 5-37 must sign the patient's written certification. MDs and DOs are the physicians licensed under this Chapter. The MMP will verify that each patient's physician has a valid license to practice medicine in Rhode Island and has no disqualifying restrictions.

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**For additional information about the MMP or to download MMP forms, please access:**

Rhode Island Department of HEALTH  
Office of Health Professions Regulation, Room 104  
3 Capitol Hill, Providence, RI 02908-5097  
**401-222-2828 [www.health.ri.gov](http://www.health.ri.gov)**

**DISCLAIMER:** The Rhode Island Department of Health does not endorse or condone the illegal use of drugs. In providing answers to the above-referenced FAQs, it is the intent of the Department to provide its best summary of the legal and practical implications of the relevant MMP statutory and regulatory requirements at this time.