



Illinois Medical Cannabis Pilot Program **Frequently Asked Questions (FAQs)**

July 2014



Please completely read these FAQs before contacting the Illinois Department of Public Health Division of Medical Cannabis.

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General Questions

Important Definitions

“Bona fide physician-patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care and treatment of a patient’s debilitating medical condition, or a symptom of the patient’s debilitating medical condition, for which the physician has certified to the Illinois Department of Public Health that the qualifying patient would receive therapeutic or palliative benefit from the medical cannabis.

“Qualifying patient” means a person who has been diagnosed by a physician as having a debilitating medical condition.

“Registered qualifying patient” means a qualifying patient who has been approved by the Illinois Department of Public Health and has been issued a registry identification card.

“Registry identification card or medical cannabis patient registry card” means a document issued by the Illinois Department of Public Health that identifies a person as a current registered qualifying patient or registered designated caregiver.

“Caregiver” or “designated caregiver” means a person designated by a qualifying patient as the person authorized, on the qualifying patient’s behalf, to possess, obtain from a certified medical cannabis dispensary, dispense and assist in the administration of medical cannabis.

“VA” means U.S. Department of Veterans Affairs

“Veteran” means a person who served in one of the five active-duty services or their respective guard or reserve units and who was discharged or released from service under conditions other than dishonorable.

“VA Hospital” means a health care facility operated by the U.S. Department of Veterans Affairs, Veterans Health Administration, providing hospital and outpatient health care services to U.S. military veterans.

“VA Official Hospital Medical Records” means records from the U.S. Department of Veterans Affairs documenting medical condition(s) and dates of treatment in the VA health care system.

“DD214” means a certified DD214 Certificate of Separation from Release from Active Duty Member Copy 4 or State Director of Veteran’s Affairs Copy 6; a certified DD214 Report of Separation from Active Duty Copy 2; or equivalent certified document indicating character of service and dates of service. A DD214 can be certified by the Illinois Department of Veteran’s Affairs, county veteran’s officials, and the U.S. Department of Veterans Affairs.

“Medical cannabis” means cannabis and its constituent cannabinoids, such as tetrahydrocannabinol (THC) and cannabidiol (CBD), used as an herbal remedy or therapy to treat disease or alleviate symptoms. Medical cannabis can be administered in a variety of ways, including, but not limited to vaporizing or smoking dried buds, using concentrates, administering tinctures or tonics, applying topical such as ointments or balms or consuming infused food products.

“Written certification” means a document dated and signed by a physician stating that, in the physician’s professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient’s debilitating medical condition or symptoms associated with the debilitating medical condition; that they qualifying patient has a debilitating medical condition and specifying the debilitating medical condition; and that the patient is under the physician’s care for the debilitating medical condition. A written certification shall be made only in the course of a bona fide physician-patient relationship, after the physician has completed an assessment of the qualifying patient’s medical history, reviewed relevant records related to the patient’s debilitating medical condition and conducted a physical examination.



“Waiver” means an excluded offense by the Illinois Department of Public Health based upon the results of a fingerprint-based criminal history records check, if the person demonstrates to the Department’s satisfaction his or her conviction was for the possession, cultivation, transfer or delivery of a reasonable amount of cannabis intended for medical use.

What is the contact information for the Medical Cannabis Program?

Mail: Illinois Department of Public Health
Division of Medical Cannabis
535 W. Jefferson Street
Springfield, IL 62761-0001

E-mail: DPH.MedicalCannabis@illinois.gov

Websites: www.mcphp.illinois.gov
<http://www.idph.state.il.us/HealthWellness/MedicalCannabis/index.htm>

Telephone: Toll-free 855-636-3688, 217-782-3300 or TTY (hearing impaired use only) 800-547-0466

Where do I find program applications and information updates?

Applications and updates can be found on the state’s Medical Cannabis website, or by calling the Illinois Department of Public Health Division of Medical Cannabis. The Department will mail qualifying patients an application packet.

Can I get help with my application if I come to the program office?

No. The Illinois Department of Public Health does not offer assistance on filling out applications. If you have a question about the program or the application process, read this document thoroughly and call the Department if your question is not addressed.

Can the Department help me understand the medical risks and benefit of cannabis?

Each person’s medical and health situation are different. The Illinois Department of Public Health cannot provide medical information and qualifying patients should speak with their physician.

Can the Department explain the benefits of medical cannabis to my doctor?

Your physician can find information online about the benefits of medical cannabis.

What is a waiver of excluded offenses?

The Illinois Department of Public Health may waive an applicant’s excluded offense if the person demonstrates to the Department’s satisfaction his or her conviction was for the possession, cultivation, transfer or delivery of a reasonable amount of cannabis intended for medical use. The Department will post the waiver form by September 2014.

If I come to the office, will the program make copies of my application or other items for me?

No. The Illinois Department of Public Health does not provide copies. If you want to have copies of your application, you must make them prior to submitting them to the Department.

Where can I read the Compassionate Use of Medical Cannabis Pilot Program Act?

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3503&ChapterID=35>

Where can I read the complete rules for the Compassionate Use of Medical Cannabis Pilot Program Act?

<http://www2.illinois.gov/gov/mcphp/Documents/Medical%20Cannabis%20DPH%20rules%20071814.pdf>



How do I get information about opening a medical cannabis cultivation center?

The Illinois Department of Agriculture regulates cultivation centers:

<http://www.agr.state.il.us/medical-cannabis-pilot-program/>

How do I get information about opening a medical cannabis dispensary?

The Illinois Department of Financial and Professional Regulation regulates dispensaries:

http://www.idfpr.com/FAQ/DPR/IDFPR_MC_PilotProgram.asp

Qualifying Debilitating Medical Conditions

What debilitating medical conditions make a patient eligible for the program?

- Acquired Immunodeficiency Syndrome (AIDS)
- Agitation of Alzheimer's disease
- Amyotrophic Lateral Sclerosis (ALS)
- Arnold-Chiari malformation and Syringomyelia
- Cachexia/wasting syndrome
- Cancer
- Causalgia
- Chronic Inflammatory Demyelinating Polyneuropathy
- Crohn's disease
- CRPS (Complex Regional Pain Syndromes Type II)
- Dystonia
- Fibromyalgia (severe)
- Fibrous dysplasia
- Glaucoma
- Hepatitis C
- Human Immunodeficiency Virus (HIV)
- Hydrocephalus
- Interstitial Cystitis
- Lupus
- Multiple Sclerosis
- Muscular dystrophy
- Myasthenia Gravis
- Myoclonus
- Nail-patella syndrome
- Neurofibromatosis
- Parkinson's disease
- Post-concussion syndrome
- RSD (Complex Regional Pain Syndromes Type I)
- Residual limb pain
- Rheumatoid arthritis (RA)



- Seizures, including those characteristic of epilepsy (Starting January 1, 2015)
- Sjogren's syndrome
- Spinal cord disease, including, but not limited to, arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia
- Spinal cord injury
- Spinocerebellar Ataxia (SCA)
- Tourette's syndrome
- Traumatic brain injury (TBI)

Can other medical conditions be added to the list?

Illinois residents may petition the Illinois Department of Public Health to add medical conditions to the list of debilitating medical conditions included in the Compassionate Use of Medical Cannabis Pilot Program. The Department is developing a process for considering the petitions, including establishing an advisory board and holding public hearings. At this point petitions are not being accepted. Check the Department's website for updates.

How much does a physician written certification cost?

Qualifying patients do not need to pay a special fee to their physician for the physician written certification. The physician may accept payment for the fee associated with the personal physical examination required prior to issuing the written certification.

I have one of the debilitating medical conditions, am I automatically a qualified patient?

No. The qualifying patient must submit an application to the Illinois Department of Public Health Division of Medical Cannabis with the required forms to become a registered qualifying patient.

Which medical providers can certify me for medical cannabis?

The medical provider must be a doctor of medicine or osteopathy licensed under the Medical Practice Act of 1987, have a controlled substances license under Article III of Illinois Controlled Substances Act, be in good standing to practice medicine in Illinois, and have a bona fide physician-patient relationship with the patient they are certifying for medical cannabis.

Can the program give me a list of medical providers who will certify me to the medical cannabis program?

No. In order for a physician to certify a qualifying patient for medical cannabis, there must be a bona fide physician-patient relationship. Qualifying patients do not need to see specific doctors and physicians may not accept payment from qualifying patients other than the fee associated with the examination necessary for issuing the written certification.



Patient Applications

How do I apply for the Medical Cannabis Program?

By completing the Illinois Medical Cannabis Qualifying Patient Registry Identification Card Application.

Applications may be mailed to:

Illinois Department of Public Health
Division of Medical Cannabis
535 W. Jefferson St.
Springfield, IL 62761-0001

Applications may be completed online at: <https://medicalcannabispatients.illinois.gov>

What else do I need to submit with my application?

The application lists the requirements. Read the application carefully.

Where can I get my fingerprints done?

Check the Illinois Department of Financial and Professional Regulation's Fingerprint Vendors List at <https://www.idfpr.com/licenselookup/fingerprintlist.asp>. Qualifying patients and their designated caregivers should call the fingerprint vendor to confirm the vendor will fingerprint them and be sure to bring the Uniform Conviction Information Act (UCIA) Fingerprint Consent Form.

Can a minor apply to be a patient in the program?

On January 1, 2015, [Public Act 98-0775](#) will become effective and the Illinois Department of Public Health Division of Medical Cannabis will accept applications for qualifying patients under 18 years of age who suffer from seizures, including those characteristic of epilepsy. The Department is developing rules for the issuance of registry identification cards for qualifying patients who are under 18 years of age and suffer from other debilitating medical conditions. The application for qualifying patients under 18 years of age is not available at this time.

Do I need to pay someone to help me complete my enrollment application?

No, you do not. The medical cannabis applications are as short and easy as possible for individuals to complete.

How can I submit my application to the program?

Do not send any information at this time. The Illinois Department of Public Health Division of Medical Cannabis will accept applications for qualifying patients whose last name begins with the letters A through L from September 1, 2014 through October 31, 2014. Qualifying patients whose last name begins with the letters M through Z may submit an application from November 1, 2014 through December 31, 2014. Beginning January 1, 2015, applications for registry identification cards will be accepted from any qualifying patients year round.

Is there a way to expedite my application?

No. Applications are generally processed in the order in which they are received.



What are the fees associated with the Medical Cannabis Program?

- Annual qualifying patient application fee is \$100
- Annual qualifying patient reduced application fee is \$50
 - For qualifying patients enrolled in the federal Social Security Disability Income (SSDI) or the Supplement Security Income (SSI) disability programs, submit a copy of a letter or other documentation from the Social Security Administration identifying the qualifying patient and showing the amount of monthly Social Security and Supplemental Security Income disability benefits to be received by the qualifying patient during the current year of application.
 - Veterans must provide a copy of their DD214.
- Annual caregiver application fee is \$25
- Replacement card fee is \$25
- Returned check fee is \$35

How long does it take to receive an answer once I submit my forms to the program?

The Illinois Department of Public Health has 30 business days to review complete applications from the date the Department receives them. The Department has 15 days after an application is approved to issue a registry identification card.

What happens if my application is not complete?

An incomplete application will be denied.

What happens at the end of the 30 days the Department has to review my application?

If an application is approved, the program will issue a registry identification card to the patient and, if applicable, their designated caregiver. If an application is denied, the program will send a letter explaining the denial to the applicant.

How can I check the status of my application?

Do not request a status update on your application until 35 days have passed from the date you submitted your full and complete application, as this slows processing time. If 35 days have passed, you may request a status update by mail (see address above). Include a written request for the update with a copy of your photo ID and contact information.

Can I find out my application status through e-mail?

No. Due to confidentiality regulations and law, it is not possible for the Illinois Department of Public Health to transmit protected patient information through e-mail. This includes requests to verify an application has been received.

How can I ensure my application was received by the program?

If you would like to be notified that your application has been received by the Illinois Department of Public Health, send in the application documents using certified mail. A confirmation will be sent once the application is received by the Department's mailroom. Note there may be a few additional processing days until the application is received by the Department's Division of Medical Cannabis. If you apply online, you will receive a confirmation e-mail once you submit your application.

Why does it sometimes take so long to get a response from the program?

The Illinois Department of Public Health Division of Medical Cannabis staff attempts to answer inquiries as quickly as possible, however, due to the volume of requests, this may take some time. For the quickest response, use e-mail.



People receiving medical care at a U.S. Department of Veterans Affairs (VA) Facilities

Is a veteran required to submit a written certification from their physician?

No. A veteran who has received treatment at a VA hospital is deemed to have a bona fide physician-patient relationship with a VA physician, if the patient has been seen for his or her debilitating condition at the VA hospital in accordance with the VA hospital protocols.

How does a veteran qualify for a patient registry identification card?

A qualifying patient who is a veteran and receiving medical care and treatment at a VA hospital must:

- Be an Illinois resident and provide two valid items proving residency.
- Have a qualifying debilitating medical condition.
- Provide a copy of his or her U.S. Department of Veterans Affairs official hospital medical records requested on VA form 10-5345. *If you have received care for your debilitating medical condition for more than 5 years at a VA facility, you must mark "OTHER" on VA Form 10-5345 under "INFORMATION REQUESTED" then specify that you are requesting information about the treatment of your debilitating medical condition for the most recent 12-month period. Under "PURPOSE(S) OR NEED FOR WHICH THE INFORMATION IS TO BE USED BY INDIVIDUAL TO WHOM INFORMATION IS TO BE RELEASED" write "personal medical purposes." Under "NAME AND ADDRESS OF ORGANIZATION, INDIVIDUAL OR TITLE OF INDIVIDUAL TO WHOM INFORMATION IS TO BE RELEASED" write your address. Once you receive your official medical records, you must submit the medical records with your application.*
- Provide a copy of his or her DD214 or equivalent certified document indicating character and dates of service.
- Complete the fingerprint-based background check and not have been convicted of an excluded offense.
- Submit a non-refundable application fee with the signed Registry Identification Card Application to the Illinois Department of Public Health Division of Medical Cannabis.

Replacement Cards and Renewal Information

I received my registry identification card, but my name is misspelled (or has other incorrect information). What do I do?

Complete a change of information form (available September 2014) and send the form, along with the incorrect card, back to the Illinois Department of Public Health Division of Medical Cannabis. A corrected replacement card will be sent as soon as possible.

If my registry identification card is lost, stolen, or is damaged, what do I do and is there a fee to replace the card?

If a registered qualifying patient or designated caregiver becomes aware of a theft, loss or destruction of his or her registry identification card, he or she must call or email the Illinois Department of Public Health Division of Medical Cannabis immediately and then complete a change of information form (available September 2014) and send it to the program. This must be done within 10 business days of the discovery. The fee to apply for a registry identification card replacement is \$25.

I recently moved. Do I need to do anything for the program or change my card?

Yes. Complete a change of information form (available September 2014) and send it, along with your old card, back to the Illinois Department of Public Health Division of Medical Cannabis, and an updated replacement will be sent as soon as possible. The fee to change information on a registry identification card is \$25.



How long is my enrollment in the Medical Cannabis Program valid?

If approved, your registry identification card from the Illinois Department of Public Health will be valid for one year from the date it is issued. You must reapply to the program at least 45 days before the expiration date of your existing registry identification card.

How do I renew my registry identification card?

Renewing a registry identification card requires the same application process as when you originally applied. This must be done at least 45 days prior to the expiration of your existing registry identification card. The qualifying patient and designated caregiver, if one is indicated, must apply for renewal of his or her registry identification card.

I sent in my renewal application, but haven't received my registry identification card yet. Why?

If you've submitted your renewal application as required, your new registry identification card will be mailed out approximately one week before your current card expires. If you submitted your renewal application after the required deadline, the renewal will be processed and the new registry identification card will be sent as soon as possible.

If my registry identification card expired and I didn't submit my re-enrollment paperwork before the deadline, am I still enrolled in the program?

No. When your card expires, your enrollment in the medical cannabis program ends, and there is no legal protection offered by the Compassionate Use of Medical Cannabis Pilot Program Act. You may still submit your renewal application.

What do I do if I no longer have my debilitating medical condition?

If a registered qualifying patient ceases to have a debilitating medical condition, they must immediately notify the Illinois Department of Public Health Division of Medical Cannabis by e-mail or telephone.

Medical Cannabis Dispensaries and Possession

Why can't I go to pharmacy to receive medical cannabis?

Pharmacies can only dispense medications that are prescribed. Marijuana is currently classified by the federal government as a Schedule I controlled substance, which means it cannot be prescribed by any health professional. The Compassionate Use of Medical Cannabis Pilot Program Act allows doctors to recommend medical cannabis for patients and sets forth requirements for qualifying registered patients to possess medical cannabis under state law.

Where do I find a list of dispensaries?

There are currently no dispensaries in operation. Dispensaries are expected to be located in the districts made up of the following:

- District 1 – Carroll, Lee, Ogle and Whiteside counties
- District 6 – DeWitt, Livingston and McLean counties
- District 7 – Henry, Knox, Mercer and Rock Island counties
- District 8 – Marshall, Peoria, Stark, Tazewell and Woodford counties
- District 9 – Cass, Christian, Logan, Mason, Menard, Morgan and Sangamon counties
- District 10 – Champaign, Coles, Douglas, Edgar, Macon, Moultrie, Piatt, Shelby and Vermilion counties
- District 11 – Bond, Clinton, Madison, Monroe and St. Clair counties



- District 12 – Clark, Clay, Crawford , Cumberland , Effingham , Fayette, Jasper , Lawrence, Marion and Richland counties
- District 13 – Franklin , Jackson, Jefferson , Perry, Randolph , Washington and Williamson counties
- District 14 – Fulton, Hancock, Henderson, McDonough and Warren counties
- District 16 – Boone, Jo Daviess, Stephenson and Winnebago counties
- District 17 – Bureau, La Salle and Putnam counties
- District 18 – Calhoun , Greene, Jersey , Macoupin, Montgomery counties
- District 19 – Edwards, Gallatin, Hamilton, Saline, Wabash, Wayne and White counties
- District 20 – Adams, Brown, Pike, Schuyler and Scott counties
- District 21 – Ford, Iroquois and Kankakee counties
- District 22 – Alexander, Hardin, Johnson, Massac , Pope, Pulaski and Union counties
- DeKalb County
- DuPage County
- Grundy and Kendall counties
- Kane County
- Lake County
- McHenry County
- Will County
- Cook County, outside the city of Chicago
- City of Chicago

What happens if I move within the state of Illinois and need to receive medical cannabis from a dispensary that is closer to my new location?

Complete a change of information form (available September 2014)) and send it to the Illinois Department of Public Health Division of Medical Cannabis. You will receive notification from the Department when your designated dispensary has been changed.

Can I grow my own medical cannabis?

No. Qualifying registered patients and their designated caregivers cannot grow or cultivate medical cannabis. Medical cannabis and cannabis-infused products must be purchased through the medical cannabis dispensary designated by the registered qualifying patient.

How much medical cannabis may I possess as a registered qualifying patient?

Registered qualifying patients and designated caregivers may possess up to 2.5 ounces of medical cannabis in a 14-day period from the dispensary the qualifying patient identified on their application.

As a registered qualifying patient, is there a way to possess more than 2.5 ounces of medical cannabis in a 14-day period?

A registered qualifying patient may apply for a waiver to possess more than 2.5 ounces of medical cannabis in a 14-day period. The patient's physician must complete the form included in the Physician Written Certification Form asserting that, based on the patient's medical history, 2.5 ounces is an insufficient supply for a 14-day period.



Designated Caregivers

What is a designated caregiver?

A designated caregiver is a person who is selected by a qualifying patient as the person authorized, on the qualifying patient's behalf, to possess, obtain from a certified medical cannabis dispensary, dispense and assist in the administration of medical cannabis. Caregivers must enroll in the program. A designated caregiver is issued a medical cannabis registry identification card that allows him/her to possess up to 2.5 ounces of medical cannabis on behalf of their patient. It is not legal for caregivers to consume, by any means, medical cannabis that has been dispensed on behalf of a registered qualifying patient.

How do I apply to be a designated caregiver?

Complete the designated caregiver section application.

What else do I need to submit with my Caregiver Application?

The application form lists the requirements. Read the application carefully.

My designated caregiver is trying to charge me for a cost associated with obtaining or possessing medical cannabis on my behalf. Do I need to pay them for their services?

A designated caregiver shall not receive payment or other compensation for services provided as a designated caregiver other than reimbursement for reasonable expenses incurred in the provision of services as a designated caregiver. In the case of an employee working for a hospice provider, nursing facility or medical facility, a visiting nurse, personal care attendant or home health aide serving as a designated caregiver, the individual shall not receive payment or compensation above or beyond his or her regular wages.

Can a caregiver have more than one patient?

No. A caregiver may only serve one patient.

Can a caregiver also be a registered qualifying patient?

No. A caregiver may not be a registered qualifying patient.

Legal Questions

Does the Medical Cannabis Program give legal advice?

No. The Illinois Department of Public Health Division of Medical Cannabis cannot provide legal advice. These frequently asked questions and other documents provided by the Department should not be considered legal advice. A qualifying patient or registered cardholder should always consult with a private attorney if he or she has questions concerning the Compassionate Use of Medical Cannabis Pilot Program Act or state or federal criminal laws.

What happens if I get stopped by law enforcement officers or they come to my house?

It may be appropriate in certain circumstances to inform law enforcement that you are a participant in the Compassionate Use of Medical Cannabis Pilot Program Act and offer to show your registry identification card. However, you should always consult with your own private attorney to discuss the protection of your rights. At this time, marijuana (cannabis) is a Schedule I controlled substance under federal statute. For that reason, participation in the Illinois Medical Cannabis Pilot Program may not protect participating patients or caregivers from potential criminal liability under federal laws.



Are registry identification cards from other state medical cannabis programs valid in Illinois?

No. Only registry identification cards issued through the Illinois Department of Public Health Division of Medical Cannabis are valid in Illinois.

Am I protected under Illinois law if I'm visiting another state and using my medical cannabis?

No. The Compassionate Use of Medical Cannabis Pilot Program Act only applies in Illinois.

I live in another state and have one of the eligible debilitating medical conditions. May I apply?

No. Only Illinois residents can apply for the Compassionate Use of Medical Cannabis Program.

Is my confidentiality protected when I apply and if I am approved for the use of medical cannabis?

Yes. The following information received and records kept by the Illinois Department of Public Health Division of Medical Cannabis are subject to all applicable federal privacy laws, are confidential, are exempt from the Freedom of Information Act and are not subject to disclosure to any individual or public or private entity, except as necessary for authorized employees of the Department to perform official duties for the medical cannabis program:

1. applications, or renewals, their contents and supporting information submitted by qualifying patients and designated caregivers, including information regarding designated caregivers and physicians;
2. the individual name and other information identifying the person to whom the Illinois Department of Public Health Division of Medical Cannabis has issued registry identification cards; and
3. all medical records provided to the Department in connection with an application for a registry identification card.

Can I use medical cannabis anywhere in Illinois?

No. Using medical cannabis is prohibited in a school bus, on the grounds of any preschool or primary or secondary school, in any correctional facility, in any motor vehicle, in a private residence used at any time to provide licensed child care or other similar social service care on the premises and in any public place where an individual could reasonably be expected to be observed by others. A public place includes all parts of buildings owned in a whole or in part, or leased, by the state or local unit of government. A public place does not include a private residence unless the private residence is used to provide licensed child care, foster care or other similar social service care on the premises. Using medical cannabis is also prohibited in a health care facility or any other place where smoking is prohibited by the Smoke-free Illinois Act and knowingly in close physical proximity to anyone under the age of 18.

