

2021 Legislative Changes for Medical Cannabis

Description	Statutory section modified	Bill citation
Patients/Caregivers		
<i>Delivery Forms of Medical Cannabis</i>		
The definition of medical cannabis is amended to allow delivery of medical cannabis via combustion of dried raw cannabis.	Minn.Stat. §152.22, subd. 6.	Laws of Minnesota 2021, chap. 30, art. 3, §29, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
Prohibits smoking medical cannabis on public transportation, anywhere the smoke could be inhaled by a minor, and in any public place or place of employment.	Minn.Stat. §152.23(a)(3).	Laws of Minnesota 2021, chap. 30, art. 3, §31, eff. Aug. 1, 2021.
Dispensing medical cannabis in dried raw cannabis form to patients age 21 or older or their caregivers is permitted.	Minn.Stat. §152.29, subd. 3(e).	Laws of Minnesota 2021, chap. 30, art. 3, §§29, 38, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
<i>Patient application/Caregivers</i>		
The definition of “registered designated caregiver” is amended to remove the requirement that a health care practitioner identify a patient as needing assistance in administering or obtaining medical cannabis due to a disability.	Minn.Stat. §152.22, subd. 11.	Laws of Minnesota 2021, chap. 30, art. 3, §30, eff. May 26, 2021.
A reference to a health care practitioner determining, as part of the patient application, that the patient requires a caregiver to administer or obtain medical cannabis due to a disability is removed.	Minn.Stat. § 152.27, subd. 3.	Laws of Minnesota 2021, chap. 30, art. 3, §34, eff. May 26, 2021.
Removes a requirement that a health care practitioner must certify that a patient is disabled and requires assistance in administering or obtaining medical cannabis before a patient is allowed a designated caregiver.	Minn.Stat. §152.27, subd. 4(a).	Laws of Minnesota 2021, chap. 30, art. 3, §35, eff. May 26, 2021.

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Allows a registered designated caregiver to assist in administering or obtaining medical cannabis for up to six patients at a time.	Minn.Stat. §152.27, subd. 4(a)(3).	Laws of Minnesota 2021, chap. 30, art. 3, §35, eff. May 26, 2021.
Pharmacist-patient consultations prior to dispensing may take place by telephone or other remote means, in addition to videoconference.	Minn.Stat. § 152.29, subd. 3(c)(4).	Laws of Minnesota 2021, chap. 30, art. 3, §38, eff. May 26, 2021.
A pharmacist-patient consultation before dispensing is no longer required when the manufacturer is distributing medical cannabis according to a patient-specific dosage plan and is not modifying the dosage or product.	Minn.Stat. § 152.29, subd. 3(c)(4).	Laws of Minnesota 2021, chap. 30, art. 3, §38, eff. May 26, 2021.
MN Dept of Health/Office of Medical Cannabis		
Allows the commissioner to adopt or amend rules to implement the addition of dried raw cannabis as an allowable form of medical cannabis.	Minn.Stat. §152.26 (b)	Laws of Minnesota 2021, chap. 30, art. 3, §32, eff. May 26, 2021.
Authorizes the commissioner to remove qualifying medical conditions in addition to adding or modifying them.	Minn.Stat. §152.27, subd. 2(b).	Laws of Minnesota 2021, chap. 30, art. 3, §33, eff. Aug. 1, 2021.
Allows the commissioner of health to execute data sharing arrangements with the commissioner of agriculture to verify licensing, inspection, and compliance information related to hemp processors.	Minn.Stat. §152.31 (c).	Laws of Minnesota 2021, chap. 30, art. 3, §41, eff. Aug. 1, 2021.
Medical Cannabis Manufacturers		
Adds a definition of “hemp processor.”	Minn.Stat. §152.22, subd. 5c.	Laws of Minnesota 2021, chap. 30, art. 3, §28, eff. Aug. 1,

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The definition of medical cannabis is amended to allow medical cannabis via combustion of dried raw cannabis.	Minn.Stat. §152.22, subd. 6.	Laws of Minnesota 2021, chap. 30, art. 3, §29, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
Allows a medical cannabis manufacturer to acquire hemp products from a hemp processor licensed with Dept. of Agriculture under chapter 18K.	Minn.Stat. §152.29, subd. 1(d)(3), (e), and (m).	Laws of Minnesota 2021, chap. 30, art. 3, §37, eff. Aug. 1, 2021.
Allows pharmacist-patient consultations to occur by telephone or other remote means, in addition to by videoconference, and removes requirement that the consultation occur only when the patient is at a distribution facility;	Minn.Stat. § 152.29, subd. 3(c)(4).	Laws of Minnesota 2021, chap. 30, art. 3, §38, eff. May 26, 2021.
A pharmacist-patient consultation is no longer required when the manufacturer is distributing medical cannabis according to a patient-specific dosage plan and is not modifying the dosage or product.	Minn.Stat. § 152.29, subd. 3(c)(4).	Laws of Minnesota 2021, chap. 30, art. 3, §38, eff. May 26, 2021.
Specifies that medical cannabis in dried raw cannabis form may be distributed only to patients age 21 or older or their caregivers.	Minn.Stat. § 152.29, subd. 3(e).	Laws of Minnesota 2021, chap. 30, art. 3, §38, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
Allows a manufacturer to distribute medical cannabis to a patient, registered designated caregiver, or other caregiver who is at the distribution facility but remains in a motor vehicle (curb-side pickup) if certain conditions are met.	Minn.Stat. § 152.29, subd. 3b.	Laws of Minnesota 2021, chap. 30, art. 3, §39, eff. May 26, 2021.

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Manufacturers are no longer required to grind root balls, rendering them unrecognizable, prior to disposal.	Minn.Stat. § 152.29, subd. 3c. Minn.R. part 4770.1200, subp. 2.C.	Laws of Minnesota 2021, chap. 30, art. 3, §40, eff. May 26, 2021.
Health Care Practitioners		
Removes health care practitioner duty to determine whether a patient is disabled and needs assistance administering or obtaining medical cannabis due to that disability.	Minn.Stat. §152.28, subd. 1(a)(2).	Laws of Minnesota 2021, chap. 30, art. 3, §36, eff. May 26, 2021.
In a Revisor’s instruction, the term “telemedicine” is replaced with “telehealth” and a reference to §62A.671 is replaced with §62A.673.	Minn.Stat. §152.28, subd. 1(c).	Laws of Minnesota, 1 st Spec. Sess., Chap. 7, Article 6, §28.

Summary of 2021 Statutory Changes to §§ 152.22 – 152.37

- Minn.Stat. §152.22, subd. 5c was added by Laws 2021, chap. 30, art. 3, §28, eff. Aug. 1, 2021.
- Minn.Stat. §152.22, subd. 6 was amended by Laws 2021, chap. 30, art. 3, §29, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
- Minn.Stat. §152.22, subd. 11 was amended by Laws 2021, chap. 30, art. 3, §30, eff. May 26, 2021.
- Minn.Stat. §152.23(a)(3) was amended by Laws 2021, chap. 30, art. 3, §31, eff. Aug. 1, 2021.
- Minn.Stat. §152.26 was amended by Laws 2021, chap. 30, art. 3, §32, eff. May 26, 2021.
- Minn.Stat. §152.27, subd. 2(b) was amended by Laws 2021, chap. 30, art. 3, §33, eff. Aug. 1, 2021.
- Minn.Stat. §152.27, subd. 3 was amended by Laws 2021, chap. 30, art. 3, §34, eff. May 26, 2021.
- Minn.Stat. §152.27, subd. 4(a) was amended by Laws 2021, chap. 30, art. 3, §35, eff. May 26, 2021.
- Minn.Stat. §152.28, subd. 1(a)(2) was amended by Laws 2021, chap. 30, art. 3, §36, eff. May 26, 2021.
- Minn.Stat. §152.29, subd. 1 was amended by Laws 2021, chap. 30, art. 3, §37, eff. Aug. 1, 2021
- Minn.Stat. §152.29, subd. 3(e) was added by Laws 2021, chap. 30, art. 3, §38, eff. May 26, 2021.
- Minn.Stat. §152.29, subd. 3b was added by Laws 2021, chap. 30, art. 3, §39, eff. May 26, 2021.
- Minn.Stat. §152.29, subd. 3c was added by Laws 2021, chap. 30, art. 3, §40, eff. March 1, 2022 or when rules are adopted, whichever is earlier.
- Minn.Stat. §152.31, para. (c) was amended by Laws 2021, chap. 30, art. 3, §41, eff. Aug. 1, 2021.