

9810.4001 MEDICAL PATIENT REGISTRY; CAREGIVER ENROLLMENT.

Subpart 1. **Registered designated caregiver application and approval.** To be approved as a patient's registered designated caregiver, an applicant must apply for registration on forms provided by the office. The office must review an application and approve an applicant as a registered designated caregiver if the office determines that the application is complete and no basis for denial exists under Minnesota Statutes, section 342.52, subdivision 9.

Subp. 2. **Parents, legal guardians, and spouses acting as caregivers.** A patient's parent, legal guardian, or spouse may act as the patient's caregiver and be designated as a patient's caregiver in the registry. A patient or a patient's parent, legal guardian, or spouse must notify the office that the patient's parent, legal guardian, or spouse will provide care to the patient and provide documentation of the patient-caregiver relationship on forms provided by the office.

Subp. 3. **Registered designated caregivers; responsibilities.** A registered designated caregiver must:

- A. notify the office of any name or address change within 30 days of the change;
- B. notify the office within ten calendar days following the death of the patient for whom the designated caregiver provides care; and
- C. dispose of all unused medical cannabis flower, medical cannabinoid products, or associated medical cannabis paraphernalia using the methods described in subpart 9 as soon as possible but no later than ten days after:
 - (1) the patient's disenrollment in the program for any reason, including the death of the patient; or
 - (2) the recall of the medical cannabis flower or medical cannabinoid product.

Subp. 4. **Registered designated caregivers; authorized actions.** A registered designated caregiver may:

- A. transport the patient to and from a licensed cannabis business;
- B. obtain and transport a supply of medical cannabis flower or medical cannabinoid products from a licensed cannabis business on behalf of the patient;
- C. prepare medical cannabis flower or medical cannabinoid products for self-administration by the patient;
- D. administer medical cannabis flower or medical cannabinoid products to the patient;
- E. on behalf of the patient, complete any available patient self-evaluations or other surveys;
- F. on behalf of the patient, notify the office of any change to the patient's name or address within 30 business days after the change;
- G. participate in the registry program as a patient if approved by the office using the process in part 9810.4000, subparts 1 to 4; and

H. cultivate up to eight cannabis plants on behalf of one patient household at the caregiver's home according to subpart 5. A designated caregiver must not cultivate more than four mature, flowering plants at a time for a patient.

Subp. 5. **Home cultivation of cannabis on behalf of patient.** If a patient allows the patient's designated caregiver to cultivate cannabis plants on behalf of the patient's household, the patient must notify the office that the patient has assigned the patient's right to cultivate cannabis plants for adult use to the patient's designated caregiver. The patient may revoke the assignment of the patient's right to cultivate cannabis plants to a designated caregiver by notifying the office.

Subp. 6. **Registered designated caregivers; prohibited actions.** A registered designated caregiver must not:

A. consume, by any means, medical cannabis flower or medical cannabinoid products that have been dispensed on behalf of the patient; or

B. sell, provide, or otherwise divert medical cannabis flower or medical cannabinoid products that have been dispensed for a patient.

Subp. 7. **Suspension of designated caregiver registration.**

A. The office must suspend registration of a registered designated caregiver if:

(1) the office has reason to believe the designated caregiver is serving more than six patient households at a time. Patients who reside in the same residence are considered one patient;

(2) the office has reason to believe that the designated caregiver provided false, misleading, or incorrect information to the office;

(3) the office has reason to believe the patient is being mistreated; or

(4) the office received a patient complaint.

B. The office must suspend a designated caregiver's registration until the office determines that the designated caregiver has cured the basis for suspension and the office determines that the designated caregiver is eligible to register as a designated caregiver.

Subp. 8. **Revocation of designated caregiver registration.** The office must revoke the registration of a designated caregiver if:

A. the office has reason to believe that the designated caregiver is misusing or diverting medical cannabis flower or medical cannabinoid products; or

B. the office received a request by the patient to revoke the designated caregiver's registration.

Subp. 9. **Disposal of medical cannabis.** Medical cannabis flower or medical cannabinoid products must be disposed of by:

A. depositing the medical cannabis flower or medical cannabinoid products with a licensed cannabis business; or

B. rendering the medical cannabis flower or medical cannabinoid products nonretrievable and disposing of the cannabis flower or products in a manner consistent with applicable state and local solid waste laws.

Subp. 10. **Qualifying patient and designated caregiver responsibilities.** A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry must not transfer, share, give, sell, or deliver any unused medical cannabis in the patient's or caregiver's possession to any other person, regardless of whether the person is participating in the medical cannabis patient registry program. A qualifying patient or designated caregiver who is no longer registered with the medical cannabis patient registry program must, within ten calendar days after the patient or caregiver ceases to be registered or eligible, dispose of any unused medical cannabis in the patient's or caregiver's possession by:

A. depositing the unused medical cannabis with a medical cannabis distribution site located in Minnesota;

B. depositing the unused medical cannabis with a law enforcement agency that has local jurisdiction for destruction;

C. disposing of the unused medical cannabis at a government-recognized drug take-back program located in Minnesota; or

D. rendering the unused medical cannabis nonrecoverable pursuant to part 9810.1200.

Statutory Authority: *MS s 342.02*

History: *49 SR 1143*

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