

**Effective 7/1/2014**

**Superseded 5/10/2016**

**26-56-103 Hemp extract registration card -- Application -- Fees -- Database.**

- (1) The department shall issue a hemp extract registration card to an individual who:
  - (a) is at least 18 years of age;
  - (b) is a Utah resident;
  - (c) provides the department with a statement signed by a neurologist that:
    - (i) indicates that the individual:
      - (A) suffers from intractable epilepsy; and
      - (B) may benefit from treatment with hemp extract; and
    - (ii) is consistent with a record from the neurologist, concerning the individual, contained in the database described in Subsection (8);
  - (d) pays the department a fee in an amount established by the department under Subsection (5); and
  - (e) submits an application to the department, on a form created by the department, that contains:
    - (i) the individual's name and address;
    - (ii) a copy of the individual's valid photo identification; and
    - (iii) any other information the department considers necessary to implement this chapter.
- (2) The department shall issue a hemp extract registration card to a parent who:
  - (a) is at least 18 years of age;
  - (b) is a Utah resident;
  - (c) provides the department with a statement signed by a neurologist that:
    - (i) indicates that a minor in the parent's care:
      - (A) suffers from intractable epilepsy; and
      - (B) may benefit from treatment with hemp extract; and
    - (ii) is consistent with a record from the neurologist, concerning the minor, contained in the database described in Subsection (8);
  - (d) pays the department a fee in an amount established by the department under Subsection (5); and
  - (e) submits an application to the department, on a form created by the department, that contains:
    - (i) the parent's name and address;
    - (ii) the minor's name;
    - (iii) a copy of the parent's valid photo identification; and
    - (iv) any other information the department considers necessary to implement this chapter.
- (3) The department shall maintain a record of:
  - (a) the name of each registrant; and
  - (b) the name of each minor receiving care from a registrant.
- (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
  - (a) establish the information an applicant is required to provide to the department under Subsections (1)(e)(iii) and (2)(e)(iv); and
  - (b) establish, in accordance with recommendations from the Department of Public Safety, the form and content of the hemp extract registration card.
- (5) The department shall establish fees in accordance with Section 63J-1-504 that are no greater than the amount necessary to cover the cost the department incurs to implement this chapter.
- (6) The registration cards issued under Subsections (1) and (2) are:
  - (a) valid for one year; and

- (b) renewable, if, at the time of renewal, the registrant meets the requirements of either Subsection (1) or (2).
- (7) The neurologist who signs the statement described in Subsection (1)(c) or (2)(c) shall:
  - (a) keep a record of the neurologist's evaluation and observation of a patient who is a registrant or minor under a registrant's care, including the patient's response to hemp extract; and
  - (b) transmit the record described in Subsection (7)(a) to the department.
- (8) The department shall:
  - (a) maintain a database of the records described in Subsection (7); and
  - (b) treat the records as identifiable health data, as defined in Section 26-3-1.
- (9) The department may share the records described in Subsection (8) with a higher education institution for the purpose of studying hemp extract.