

Act;

(iii) a physician under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or

(iv) a physician assistant under Title 58, Chapter 70a, Utah Physician Assistant Act.

~~[(49)]~~ (52) "State central patient portal" means the website the department creates, in accordance with Section 26-61a-601, to facilitate patient safety, education, and an electronic medical cannabis order.

~~[(50)] "State central patient portal medical provider" means a physician or pharmacist that the department employs in relation to the state central patient portal to consult with medical cannabis cardholders in accordance with Section 26-61a-602.]~~

~~[(51)]~~ (53) "State electronic verification system" means the system described in Section 26-61a-103.

(54) "Targeted marketing" means the promotion by a medical cannabis pharmacy of a medical cannabis product, medical cannabis brand, or a medical cannabis device using any of the following methods:

(a) electronic communication ~~H→~~ [that requires acknowledgment by the individual receiving or accessing the communication that the individual is at least 21 years old] to an individual who is at least 21 years old and has requested to receive promotional information from the medical cannabis pharmacy ~~←H~~ ;

(b) an in-person marketing event that is:

(i) held inside a medical cannabis pharmacy; and

(ii) in an area where only a medical cannabis cardholder may access the event; or

(c) other marketing material that is physically available or digitally displayed in:

(i) a medical cannabis pharmacy; and

(ii) an area where only a medical cannabis cardholder has access.

~~[(52)]~~ (55) "Tetrahydrocannabinol" or "THC" means a substance derived from cannabis or a synthetic equivalent as described in Subsection 58-37-4(2)(a)(iii)(AA).

~~[(53)]~~ (56) "THC analog" means the same as that term is defined in Section 4-41-102.

~~[(54)] "Valid form of photo identification" means any of the following forms of identification that is either current or has expired within the previous six months:]~~

~~[(a) a valid state-issued driver license or identification card;]~~

~~[(b) a valid United States federal-issued photo identification, including:]~~

~~[(i) a United States passport;]~~

based on the qualifying condition underlying a medical cannabis recommendation.

~~[(4)(a) Except as provided in Subsection (4)(b), a qualified medical provider may not recommend a medical cannabis treatment to more than 275 of the qualified medical provider's patients at the same time, as determined by the number of medical cannabis cards under the qualified medical provider's name in the state electronic verification system.]~~

~~[(b) A qualified medical provider may recommend a medical cannabis treatment to up to 600 of the qualified medical provider's patients at any given time, as determined by the number of medical cannabis cards under the qualified medical provider's name in the state electronic verification system, if:]~~

~~[(i) the appropriate American medical board has certified the qualified medical provider in the specialty of anesthesiology, gastroenterology, neurology, oncology, pain, hospice and palliative medicine, physical medicine and rehabilitation, rheumatology, endocrinology, or psychiatry; or]~~

~~[(ii) a licensed business employs or contracts with the qualified medical provider for the specific purpose of providing hospice and palliative care.]~~

(4) (a) Except as provided in Subsection (4)(b), a qualified medical provider may not recommend a medical cannabis treatment to more than ~~H~~→ [2] 1.5 ←~~H~~ % of the total amount of medical cannabis patient cardholders.

(b) If a qualified medical provider receives payment from an insurance plan for services provided under this chapter, then the patient whose insurance plan was billed does not count toward the ~~H~~→ [2] 1.5 ←~~H~~ % patient cap described in Subsection (4)(a).

(5) A recommending medical provider may recommend medical cannabis to an individual under this chapter only in the course of a provider-patient relationship after the recommending medical provider has completed and documented in the patient's medical record a thorough assessment of the patient's condition and medical history based on the appropriate standard of care for the patient's condition.

(6) (a) Except as provided in Subsection (6)(b), an individual may not advertise that the individual recommends a medical cannabis treatment.

(b) Notwithstanding Subsection (6)(a) and subject to Section 26-61a-116, a qualified medical provider or clinic or office that employs a qualified medical provider may advertise the following: