

Effective 5/6/2026

26B-4-201 Definitions.

As used in this part:

- (1) "Active tetrahydrocannabinol" means THC, any THC analog, and tetrahydrocannabinolic acid.
- (2) "Administration of criminal justice" means the performance of detection, apprehension, detention, pretrial release, post-trial release, prosecution, and adjudication.
- (3) "Advertise" means information provided by a person in any medium:
 - (a) to the public; and
 - (b) that is not age restricted to an individual who is at least 21 years old.
- (4) "Advisory board" means the Medical Cannabis Policy Advisory Board created in Section 4-41a-111.
- (5) "Cannabis" means marijuana.
- (6) "Cannabis cultivation facility" means the same as that term is defined in Section 4-41a-102.
- (7) "Cannabis processing facility" means the same as that term is defined in Section 4-41a-102.
- (8) "Cannabis product" means a product that:
 - (a) is intended for human use; and
 - (b) contains cannabis or any tetrahydrocannabinol or THC analog in a total concentration of 0.3% or greater on a dry weight basis.
- (9) "Cannabis production establishment" means the same as that term is defined in Section 4-41a-102.
- (10) "Cannabis production establishment agent" means the same as that term is defined in Section 4-41a-102.
- (11) "Cannabis production establishment agent registration card" means the same as that term is defined in Section 4-41a-102.
- (12) "Conditional medical cannabis card" means an electronic medical cannabis card that the department issues in accordance with Subsection 26B-4-213(1)(b) to allow an applicant for a medical cannabis card to access medical cannabis during the department's review of the application.
- (13) "Controlled substance database" means the controlled substance database created in Section 58-37f-201.
- (14) "Delivery address" means the same as that term is defined in Section 4-41a-102.
- (15) "Department" means the Department of Agriculture and Food.
- (16) "Designated caregiver" means:
 - (a) an individual:
 - (i) whom an individual with a medical cannabis patient card or a medical cannabis guardian card designates as the patient's caregiver; and
 - (ii) who registers with the department under Section 26B-4-214; or
 - (b)
 - (i) a facility that an individual designates as a designated caregiver in accordance with Subsection 26B-4-214(1)(b); or
 - (ii) an assigned employee of the facility described in Subsection 26B-4-214(1)(b)(ii).
- (17) "Directions of use" means recommended routes of administration for a medical cannabis treatment and suggested usage guidelines.
- (18) "Dosing guidelines" means a quantity range and frequency of administration for a recommended treatment of medical cannabis.
- (19) "Government issued photo identification" means any of the following forms of identification:
 - (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;
 - (ii) a United States passport card;
 - (iii) a United States military identification card; or
 - (iv) a permanent resident card or alien registration receipt card;
 - (c) a foreign passport; or
 - (d) a tribal government-issued photo identification.
- (20) "Home delivery medical cannabis pharmacy" means a medical cannabis pharmacy that the department authorizes, as part of the pharmacy's license, to deliver medical cannabis shipments to a delivery address to fulfill electronic orders.
- (21) "Incapacitated" means the same as that term is defined in Section 75-1-201.
- (22) "Inventory control system" means the system described in Section 4-41a-103.
- (23) "Legal dosage limit" means an amount that:
- (a) is sufficient to provide 30 days of treatment based on the dosing guidelines that the relevant recommending medical provider or pharmacy medical provider, in accordance with Subsection 26B-4-231(5), recommends; and
 - (b) may not exceed:
 - (i) for unprocessed cannabis in a medicinal dosage form, 113 grams by weight; and
 - (ii) for a cannabis product in a medicinal dosage form, a quantity that contains, in total, greater than 20 grams of active tetrahydrocannabinol.
- (24) "Legal use termination date" means a date on the label of a container of unprocessed cannabis flower:
- (a) that is 60 days after the date of purchase of the cannabis; and
 - (b) after which, the cannabis is no longer in a medicinal dosage form outside of the primary residence of the relevant medical cannabis patient cardholder.
- (25) "Licensing board" means the same as that term is defined in Section 4-41a-102.
- (26)
- (a) "Low THC product" means a product that:
 - (i) is intended for human use;
 - (ii) contains cannabis or any tetrahydrocannabinol or THC analog in a total concentration of less than 0.3% on a dry weight basis; and
 - (iii) is processed by a cannabis processing facility.
 - (b) "Low THC product" does not include a product registered under Chapter 41, Hemp and Cannabinoid Act.
- (27) "Marijuana" means the same as that term is defined in Section 58-37-101.
- (28) "Medical cannabis" or "medical cannabis product" means:
- (a) cannabis in a medicinal dosage form;
 - (b) a cannabis product in a medicinal dosage form; or
 - (c) a low THC product in a medicinal dosage form.
- (29) "Medical cannabis card" means a medical cannabis patient card, a medical cannabis guardian card, a medical cannabis caregiver card, or a conditional medical cannabis card.
- (30) "Medical cannabis cardholder" means:
- (a) a holder of a medical cannabis card; or
 - (b) a facility or assigned employee, described in Subsection (16)(b), only:
 - (i) within the scope of the facility's or assigned employee's performance of the role of a medical cannabis patient cardholder's caregiver designation under Subsection 26B-4-214(1)(b); and
 - (ii) while in possession of documentation that establishes:
 - (A) a caregiver designation described in Subsection 26B-4-214(1)(b);
 - (B) the identity of the individual presenting the documentation; and

- (C) the relation of the individual presenting the documentation to the caregiver designation.
- (31) "Medical cannabis caregiver card" means an electronic document that a cardholder may print or store on an electronic device or a physical card or document that:
- (a) the department issues to an individual whom a medical cannabis patient cardholder or a medical cannabis guardian cardholder designates as a designated caregiver; and
 - (b) is connected to the electronic verification system.
- (32) "Medical cannabis courier" means the same as that term is defined in Section 4-41a-102.
- (33)
- (a) "Medical cannabis device" means a device that an individual uses to ingest or inhale medical cannabis.
 - (b) "Medical cannabis device" does not include a device that:
 - (i) facilitates cannabis combustion; or
 - (ii) an individual uses to ingest substances other than cannabis.
- (34) "Medical cannabis guardian card" means an electronic document that a cardholder may print or store on an electronic device or a physical card or document that:
- (a) the department issues to the parent or legal guardian of a minor or legal guardian of an incapacitated adult; and
 - (b) is connected to the electronic verification system.
- (35) "Medical cannabis patient card" means an electronic document that a cardholder may print or store on an electronic device or a physical card or document that:
- (a) the department issues to an individual with a qualifying condition; and
 - (b) is connected to the electronic verification system.
- (36) "Medical cannabis pharmacy" means a person that:
- (a)
 - (i) acquires or intends to acquire medical cannabis from a cannabis processing facility or another medical cannabis pharmacy or a medical cannabis device; or
 - (ii) possesses medical cannabis or a medical cannabis device; and
 - (b) sells or intends to sell medical cannabis or a medical cannabis device to a medical cannabis cardholder.
- (37) "Medical cannabis pharmacy agent" means an individual who holds a valid medical cannabis pharmacy agent registration card issued by the department.
- (38) "Medical cannabis pharmacy agent registration card" means a registration card issued by the department that authorizes an individual to act as a medical cannabis pharmacy agent.
- (39) "Medical cannabis shipment" means the same as that term is defined in Section 4-41a-102.
- (40) "Medical cannabis treatment" means medical cannabis or a medical cannabis device.
- (41)
- (a) "Medicinal dosage form" means:
 - (i) for processed medical cannabis, the following with a specific and consistent cannabinoid content:
 - (A) a tablet;
 - (B) a capsule;
 - (C) a concentrated liquid or viscous oil;
 - (D) a liquid suspension that does not exceed 30 milliliters;
 - (E) a topical preparation;
 - (F) a transdermal preparation;
 - (G) a sublingual preparation;
 - (H) a gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape;

- (I) a resin or wax;
- (J) an aerosol;
- (K) a suppository preparation; or
- (L) a soft or hard confection that is a uniform rectangular cuboid or uniform spherical shape, is homogeneous in color and texture, and each piece is a single serving; or
- (ii) for unprocessed cannabis flower, a container described in Section 4-41a-602 that:
 - (A) contains cannabis flower in a quantity that varies by no more than 10% from the stated weight at the time of packaging;
 - (B) at any time the medical cannabis cardholder transports or possesses the container in public, is contained within an opaque bag or box; and
 - (C) is labeled with the container's content and weight, the date of purchase, the legal use termination date, and a barcode that provides information connected to an inventory control system.
- (b) "Medicinal dosage form" includes a portion of unprocessed cannabis flower that:
 - (i) the medical cannabis cardholder has recently removed from the container described in Subsection (41)(a)(ii) for use; and
 - (ii) does not exceed the quantity described in Subsection (41)(a)(ii).
- (c) "Medicinal dosage form" does not include:
 - (i) any unprocessed cannabis flower outside of the container described in Subsection (41)(a)(ii), except as provided in Subsection (41)(b);
 - (ii) any unprocessed cannabis flower in a container described in Subsection (41)(a)(ii) after the legal use termination date;
 - (iii) a process of vaporizing and inhaling concentrated cannabis by placing the cannabis on a nail or other metal object that is heated by a flame, including a blowtorch;
 - (iv) a liquid suspension that is branded as a beverage;
 - (v) a substance described in Subsection (41)(a)(i) or (ii) if the substance is not measured in grams, milligrams, or milliliters; or
 - (vi) a substance that contains or is covered to any degree with chocolate.
- (42) "Nonresident patient" means an individual who:
 - (a) is not a resident of Utah or has been a resident of Utah for less than 45 days;
 - (b) has a currently valid medical cannabis card or the equivalent of a medical cannabis card under the laws of another state, district, territory, commonwealth, or insular possession of the United States; and
 - (c) has been diagnosed with a qualifying condition as described in Section 26B-4-203.
- (43) "Patient product information insert" means a single page document or webpage that contains information about a medical cannabis product regarding:
 - (a) how to use the product;
 - (b) common side effects;
 - (c) serious side effects;
 - (d) dosage;
 - (e) contraindications;
 - (f) safe storage;
 - (g) information on when a product should not be used; and
 - (h) other information the department deems appropriate in consultation with the cannabis processing facility that created the product.
- (44) "Pharmacy medical provider" means the medical provider required to be on site at a medical cannabis pharmacy under Section 26B-4-219.
- (45) "Provisional patient card" means a card that:

- (a) the department issues to a minor or incapacitated adult for whom:
 - (i) a recommending medical provider has recommended a medical cannabis treatment; and
 - (ii) the department issues a medical cannabis guardian card to the minor's parent or legal guardian or the incapacitated adult's legal guardian; and
 - (b) is connected to the electronic verification system.
- (46) "Qualified Patient Enterprise Fund" means the enterprise fund created in Section 4-41a-104.1.
- (47) "Qualifying condition" means a condition described in Section 26B-4-203.
- (48) "Recommend" or "recommendation" means, for a recommending medical provider, the act of suggesting the use of medical cannabis treatment, which:
- (a) certifies the patient's eligibility for a medical cannabis card; and
 - (b) may include, at the recommending medical provider's discretion, directions of use, with or without dosing guidelines.
- (49) "Recommending medical provider" means an individual who:
- (a) meets the recommending qualifications;
 - (b) completes four hours of continuing medical education specific to medical cannabis through formal or informal sources; and
 - (c) every two years, provides an acknowledgment to the department that the individual completed four hours of continuing medical education.
- (50) "Recommending qualifications" means that an individual:
- (a)
 - (i) has the authority to write a prescription;
 - (ii) is licensed to prescribe a controlled substance under Title 58, Chapter 37, Controlled Substances; and
 - (iii) possesses the authority, in accordance with the individual's scope of practice, to prescribe a Schedule II controlled substance; and
 - (b) is licensed as:
 - (i) a podiatrist under Title 58, Chapter 5a, Podiatric Physician Licensing Act;
 - (ii) an advanced practice registered nurse under Title 58, Chapter 31b, Nurse Practice 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.
- (51) "State electronic verification system" means the system described in Section 26B-4-202.
- (52) "Targeted marketing" means the promotion by a recommending medical provider, medical clinic, or medical office that employs a recommending medical provider of a medical cannabis recommendation service using any of the following methods:
- (a) electronic communication to an individual who is at least 21 years old and has requested to receive promotional information;
 - (b) an in-person marketing event that is held in an area where only an individual who is at least 21 years old may access the event;
 - (c) other marketing material that is physically or digitally displayed in the office of the medical clinic or office that employs a recommending medical provider; or
 - (d) a leaflet that a recommending medical provider, medical clinic, or medical office that employs a recommending medical provider shares with an individual who is at least 21 years old.
- (53) "Tetrahydrocannabinol" or "THC" means a substance derived from cannabis or a synthetic equivalent as described in Subsection 58-37-108(2)(a)(iii)(AA).
- (54) "THC analog" means the same as that term is defined in Section 4-41-102.

Amended by Chapter 362, 2026 General Session

