

Patient Registration Fees and Waiver Process

The proposed fees for patients to register in the Massachusetts Medical Marijuana Program as outlined by the Department of Public Health (DPH) are fair and reasonable, so long as the waiver provision is fairly applied to those in need of assistance. ASA has two recommendations regarding the waiver process.

Fees

The fees proposed by Massachusetts of \$50 per patient or \$100 for hardship cultivation are in the middle of the pack compared with fees charged by other states. Colorado charges \$35 to register¹, while Arizona charges most patients \$150, reduced to \$75 if there is financial hardship.² Similarly, the District of Columbia charges \$100 for most patients, reduced to \$25 for patients earning less than 200% of the federal poverty level.³ In Maine, the state does not charge a fee for patients to register with the Department of Health and Human Services.⁴

ASA supports DPH's plan to not charge a registration fee for caregivers.

Waiver

In order to best serve the individual needs of all patients in Massachusetts, ASA requests two modifications to the proposed waiver procedure. The current proposal is, “patients with a verified financial hardship may request a waiver of the registration fee subject to review and approval by the DPH.”⁵

1. ASA recommends that the fee waiver be applied automatically to any patient who qualifies under the definition of “verified financial hardship” in the regulations.⁶

1 Colorado Medical Marijuana Registry Home Page,
<http://www.colorado.gov/cs/Satellite/CDPHE-CHEIS/CBON/1251593016680>.

2 Arizona Medical Marijuana Program FAQs,
<http://www.azdhs.gov/medicalmarijuana/faqs/index.php?pg=qualifying-patients>.

3 D.C. Mun. Reg. Tit. 22 § 1300.1 (2011).

4 Medical Use of Marijuana Program Patient Application/Renewal Form,
<http://www.maine.gov/dhhs/dlrs/mmm/application-material/Patient-Application.pdf>.

5 Department of Public Health Announces Medical Marijuana Fees to Create Fully Self-Financed Industry, <http://www.mass.gov/eohhs/gov/newsroom/press-releases/dph/medical-marijuana-fees.html>.

6 “Verified financial hardship means that an individual is a recipient of MassHealth, or Supplemental Security Income, or the individual’s income does not exceed 300% of the federal poverty level, adjusted for family size.” 105 CMR 725.004.

2. Additionally, ASA recommends that patients who do not qualify for verified financial hardship be permitted to apply for a fee waiver on a case-by-case basis. The qualifications for verified financial hardship may not take into account recent negative financial events that a patient may experience, such as loss of a job or a catastrophic medical diagnosis. Such a patient may not qualify for verified financial hardship immediately, but may have an immediate need for fee waiver assistance. Additionally, because medical marijuana is not covered by health insurance, patients in such a position will need whatever assistance is available until officially qualifying as having verified financial hardship.

The proposed registration fees for Massachusetts patients are fair and reasonable, but could be improved to best serve patient needs. ASA thanks DPH for their thoughtful consideration concerning patient registration fees and hopes that DPH will amend their plan to make sure no patients with legitimate financial limitations slip through the cracks.

If you have any questions or comments, please contact Michael Liszewski, Policy Director, at (202) 262-8857 or mike@safeaccessnow.org.

Headquarters

1300 Clay Street, Suite 600, Oakland CA 94612
PHONE: 510.251.1856

National Office

1806 Vernon St. NW, Suite 100, Washington DC 20009
PHONE: 202.857.4272 **FAX:** 202.857.4273

General Information

WEB: www.AmericansForSafeAccess.org
TOLL FREE: 1.888.939.4367