



A Tradition of Stewardship
A Commitment to Service

Napa County Medical Marijuana Identification Card Program Frequently Asked Questions

Why should I apply for a MMIC?

Any person in possession of a valid Medical Marijuana Identification Card (MMIC) shall NOT be subject to arrest for possession, transportation, delivery or cultivation of medical marijuana in the amount allowed by SB 420 (unless there is reasonable cause to believe that the MMIC is false or falsified, the card was obtained by fraud, or the person is otherwise in violation of SB 420).

How much processed marijuana can I have in my possession?

SB 420 allowed eight (8) ounces of dried, mature, processed flowers of the female cannabis plants AND no more than six (6) mature or twelve (12) immature plants per qualified patient. Counties and cities are authorized to establish higher (but not lower) limits if they wish. Please contact the District Attorney's office of your local law enforcement agency for current information.

What if I exceed the limit?

Patients that exceed the limits risk being arrested and having to defend themselves in court. Despite the protections of Prop 215 and SB 420, patients may still be arrested if law enforcement suspects that they are outside the law; for example, by being involved in illegal sales or distribution or growing plants with excessive yields. Please contact the District Attorney's office of your local law enforcement agency for current information.

Do I have to be a Napa County resident in order to receive a MMIC?

No, any California resident that is a qualified patient can apply for a MMIC, however, you must apply for your MMIC in the county where you reside. Proof of residency is required.

Will the Sheriff's Office continue to issue a separate local Medical Marijuana card?

No, the statewide MMIC Program will replace the current program of the Napa County Sheriff's Office. Cards issued by the Sheriff's office will continue to be valid in Napa County until their expiration date, or until December 31, 2006, but no renewals will be issued.

Can I obtain my recommendations for an out-of-county physician?

Yes. The attending physician must have a license in good standing issued by the Medical Board of California or the Osteopathic Medical Board of California, but there are no residency requirements for the physician.

Is a Medical Marijuana recommendation considered a prescription?

No. To be a prescription it must be federally approved. As marijuana is not recognized as legal by the federal government, federal law criminalizes the use of medical marijuana.

Can I have more than one primary caregiver?

Yes. But only if your primary caregiver is the owner or operator of a facility providing medical care and/or supportive service to a qualified patient, s/he can designate no more than three employees as caregivers.

Can a primary caregiver care for more than one patient at a time?

Yes. However, if a qualified individual has been designated as the primary caregiver by two or more qualified patients, the primary caregiver and all the qualified patients must reside in the same city or county.

Can I have a caregiver that lives out of county?

Yes. The primary caregiver must prove California residence and is further restricted to being the primary caregiver for only that patient.

Can I be a primary caregiver for a resident of another county?

Yes, but that will restrict you to being the primary caregiver for only that patient.

Is my MMIC recognized out of county?

Yes, this is a statewide identification program.

Does a MMIC protect me from all law enforcement?

No.

Can a minor apply for a card?

Yes, a minor can apply as a patient or a caregiver. If a minor is applying as a qualified patient, they must be lawfully emancipated or of declared self-sufficiency status. If neither, the minor's parent, legal guardian, or person with legal authority to make medical decisions for the minor applicant must complete Section 2 of the Medical Marijuana Program application.

If a minor is applying as a primary caregiver, they must meet additional requirement including:

- Being consistently responsible for the housing, health, or safety of a qualified patient, or
- Being the parent of a minor child who is a qualified patient.

What medical documentation is needed to apply for a MMIC?

You must provide written documentation completed by your physician that states that you have been diagnosed with a serious medical condition and that the medical use of marijuana is appropriate. Your doctor must maintain a copy of the statement in your medical file. (This documentation will be returned to the applicant during your appointment.) The California Department of Public Health offers the use of Written Documentation of Patient's Medical Records Form (DHS 9044) as a convenience.

Your physician will be contacted to confirm that the medical documentation submitted by the applicant is a true and correct copy of your medical records in the physician's office. It is the applicant's responsibility to ensure that an Authorized Release of Medical Information is on file with their medical provider.

What information/documentation is required for a MMIC?

The qualified patient will need to provide:

- A completed MMIC application
- Government issued photo identification
- Proof of residency within the county

- Written documentation completed by your physician that states that you have been diagnosed with a serious medical condition and that the medical use of marijuana is appropriate
- The application fee for each MMIC requested
- Your photo will be taken at the time of the application

The primary caregiver, if any, will need to provide:

- A completed MMIC application
- Government issued photo identification
- Proof of residency in the state of California
- A written statement documenting how the primary caregiver consistently assumes responsibility for the housing, health or safety of the patient
- The application fee for each MMIC requested
- Your photo will be taken at the time of the application

If an applicant applies for a MMIC for a primary caregiver, both the primary caregiver and the qualified patient must be present at the time of submission of the primary caregiver's application.

What information will appear on the card?

- Photo of the cardholder
- Designation of "Patient" or "Primary Caregiver"
- A unique user identification number issued by the CDPH
- Expiration date
- Name and telephone number of the county agency that approved the application
- A 24-hour, toll-free telephone number and Web-based Internet URL that will enable state and local law enforcement officers, public and others to have immediate access to verify the validity of the card

What MMIC cardholder personal information will be available to law enforcement?

When the MMIC unique identification number is entered through the 800 number or the MMIC web site, a "Valid Card" or "Invalid Card" response is generated. No other information is accessible.

How long will a MMIC be valid?

Qualified patient and primary caregiver cards are valid one year from date of issue. If the primary caregiver card is applied for at a later date than the patient's MMIC, the primary caregiver MMIC will have the same expiration date as the patient's MMIC.

Is there a fee for applying for a MMIC?

Yes, the current fee is \$124 for each MMIC issued. Proof of eligibility and participation in the Medi-Cal program, presented at the time of application, qualifies a Medi-Cal beneficiary to receive a 50% reduction in fees (\$62). If the applicant qualifies for this fee reduction and is designating a primary caregiver, the fee for the primary caregiver will also be reduced by 50%. Application fees are non-refundable and subject to change. Call the Napa County Vital Statistics office at (707) 253-4506 to confirm current rates.