



Medical Marijuana Compassionate Use Card

Delaware licensed physicians may now certify a patient with a serious debilitating medical condition who previously did not qualify for medical marijuana treatment under the Medical Marijuana Program, through the newly created “Compassionate Use Card” (CUC). The CUC is a card issued by the Department that authorizes the use of medical marijuana under specific conditions including:

- The patient has a severe and debilitating condition;
- All current standard care practices and treatments have been exhausted and have been ineffective, or the side effects are prohibitive with continued use;
- The certifying physician will re-evaluate and document the efficacy of medical marijuana treatment (see the treatment re-evaluation schedule below);
- Use of medical marijuana must be part of a comprehensive treatment plan, especially for patients with substance use disorder;
- The physician will provide scientific support the potential for the patient to benefit from using medical marijuana. The Department will review pertinent research articles or peer reviewed studies for evidence that medical marijuana may provide some benefit for the condition.

The Compassionate Use Card application can be found at:

<https://dhss.delaware.gov/dhss/dph/hsp/files/mmpcucpatientapplication.pdf>

Marijuana may have serious unintended side effects that must be closely managed for patients with substance use disorder, emotional or mental health diagnoses. To that end, a physician certifying a patient for a CUC will re-evaluate the efficacy of medical marijuana treatment at the following intervals:

Diagnoses	Initial Re-evaluation	Re-evaluates in the First 90 Days	Continuing Re-evaluation
Substance use disorder	after 15 days	every 15 days	every 30 days thereafter
Mental health disorder	after 30 days	every 30 days	every 30 days thereafter
Autoimmune disease	after 30 days	every 30 days	every 90 days thereafter
Other conditions	after 30 days	every 30 days	every 30 days, unless otherwise indicated or waived by the Department



The timeframe for re-evaluation begins on the date the card is issued.

The physician certifying a patient for a compassionate use card may require the re-evaluation of the patient at shorter intervals than listed if appropriate.

Documentation for substance use disorder or mental health disorders can be from a certified mental health provider or substance abuse counselor.

Updated documentation of the re-evaluations for the compassionate use card must be transmitted to the Department by the certifying practice within five business days of the re-evaluation interval to prevent the compassionate use card from entering a suspension status.