



Visiting Patients and Medical Cannabis Laws

Thirty-eight states currently allow medical cannabis, and they are increasingly recognizing the need to protect patients who travel between medical cannabis states. Just as patients may take their prescriptions with them — and typically may fill prescriptions in states they are visiting — patients who benefit from medical cannabis need uninterrupted access while traveling, whether their travel is for relaxation, a Make-a-Wish® type trip, to visit family, or to seek medical care.

At least 17 medical cannabis states have some kind of protection for nonresident patients, while 23 states and the District of Columbia have made cannabis legal for all adults 21 and older. Because some states have protections both for visiting patients and for all adults, the total number of states with one of these types of protections is 33.

It is also important that states include these provisions so patients in new medical cannabis states can safely obtain cannabis in another state while waiting for dispensaries to be licensed in their own state.

We recommend the following policy in medical cannabis laws:

- Patients and their caregivers from medical cannabis states qualify to both possess and obtain cannabis from dispensaries in medical cannabis states they visit. (States with limited lists of qualifying conditions may want to limit “reciprocity” to patients with a medical condition that qualifies under the visited state’s law.)
- Protections for out-of-state IDs would only be available to nonresidents and to those who have lived in the state for no more than 180 days.

States with Protections for Nonresident Patients or All Adults

Note: This brief chart does not capture the nuances of the laws. Patients and adults should look into the details of the laws and consult with an attorney — and/or the state’s medical cannabis program — before assuming they will be protected by the law and to learn of limitations and state-specific rules.

State	Type of Protection
Alaska	All adults 21 and up may use, possess, and purchase cannabis.
Arizona	All adults 21 and up may use, possess, and purchase cannabis. Also, patients who are protected under other states’ medical cannabis laws and who have conditions that qualify under Arizona law may possess cannabis in the state.

State	Type of Protection
Arkansas	Patients who are protected under other states' medical cannabis laws and have a condition that qualifies in Arkansas may possess cannabis in the state and obtain it from dispensaries. Patients must have a visiting registry ID card to buy cannabis for a 90-day period. It has a \$50 fee.
California	All adults 21 and up may use, possess, and purchase cannabis. Also, nonresidents may get a California doctor's recommendation for in-state medical cannabis protections.
Colorado	All adults 21 and up may use, possess, and purchase cannabis.
Connecticut	All adults 21 and up may use, possess, and purchase cannabis.
D.C.	All adults 21 and up may use and possess cannabis. Also, patients registered in other states may purchase medical cannabis at dispensaries (as long as the Department of Health has not determined that this will cause a shortage for D.C. patients). The District maintains a list of which states' medical cannabis ID cards are accepted.
Delaware	All adults 21 and up may use and possess cannabis. Once adult-use stores are open, they may also purchase cannabis.
Hawaii	Patients who are protected under other states' medical cannabis laws may get temporary ID cards allowing them to possess and purchase medical cannabis in Hawaii.
Illinois	All adults 21 and up may use, possess, and purchase cannabis.
Kentucky	Visiting patients may possess and purchase up to a 10-day supply if they are allowed to use medical cannabis in their home jurisdiction and have a qualifying condition. Sales will likely not begin until 2025.
Louisiana	Verified patients who can legally use cannabis in their home jurisdiction have legal protections in Louisiana and may purchase cannabis in the state.
Maine	All adults 21 and up may use, possess, and purchase cannabis. Also, patients who are protected under other states' medical cannabis laws may possess and purchase cannabis.
Maryland	All adults 21 and up may use, possess, and purchase cannabis.
Massachusetts	All adults 21 and up may use, possess, and purchase cannabis.
Michigan	All adults 21 and up may use, possess, and purchase cannabis. Also, patients who are not Michigan residents or who have lived in Michigan for 30 days or less may possess and purchase medical cannabis if they have a registry ID or its equivalent from their home state.
Minnesota	All adults 21 and up may use and possess cannabis. Once adult-use stores are open, they may also purchase cannabis.

State	Type of Protection
Mississippi	Visiting patients who are certified in other states, and whose practitioners certify their condition would qualify in Mississippi, may apply for legal protections. They may only register for two 15-day periods per year, and each registration costs \$75.
Missouri	All adults 21 and up may use, possess, and purchase cannabis. Also, patients in possession of a valid medical cannabis registration card from another state are protected from criminal liability for possession of up to one ounce.
Montana	All adults 21 and up may use, possess, and purchase cannabis.
Nevada	All adults 21 and up may possess cannabis and may purchase cannabis. Also, patients who are protected under other states' laws may possess and purchase medical cannabis; they must sign an affidavit to qualify.
New Hampshire	Patients who are protected under other states' laws and who have conditions that qualify under New Hampshire law may use, possess, and purchase cannabis in the state.
New Jersey	All adults 21 and up may use, possess, and purchase cannabis. Also, patients who are not New Jersey residents but who are registered in their home state are protected for possession and using — but not purchasing — medical cannabis for up to six months.
New Mexico	All adults 21 and up may use, possess, and purchase cannabis. Also, individuals may use their medical cannabis ID card from another state, district, territory, or tribe to obtain cannabis from a New Mexico dispensary.
New York	All adults 21 and up may use, possess, and purchase cannabis.
Ohio*	Ohio's law allows the regulatory authority to enter into agreements with other medical cannabis states to provide access to their patients while in Ohio. The other states must have similar laws and also agree to accommodate Ohio's own patients. *Unfortunately, as of Sept. 2022, it does not appear to have done so, so we are not counting Ohio as a state that currently has reciprocity.
Oklahoma	Patients who are registered in another medical cannabis state may apply for and be issued a 30-day medical cannabis license. They cost \$100.
Oregon	All adults 21 and up may use, possess, and purchase cannabis.
Rhode Island	All adults 21 and up may use, possess, and purchase cannabis. Patients who are protected in other states may possess and purchase medical cannabis in the state.
South Dakota	Non-residents who have qualifying conditions under South Dakota law and who are allowed to use medical cannabis in their home state are protected if they possess no more than three ounces of cannabis or equivalencies set by rule.

State	Type of Protection
Utah	Out-of-state patients who have been diagnosed with a qualifying condition (according to Utah's list, not their home state) and hold a valid medical cannabis registration card are protected from criminal prosecution for possessing cannabis in the forms acceptable under Utah law (e.g. flower must be in blister packs). They may apply for temporary ID cards allowing them to purchase cannabis in Utah, with a limit of two 21-day cards per year.
Vermont	All adults 21 and up may use, possess, and purchase cannabis.
Virginia	Any adult 21 or older may use and possess cannabis. If and when adult-use stores open, which may require reenactment, adults 21 and older may also purchase cannabis.
Washington	All adults 21 and up may use, possess, and purchase cannabis.