



Massachusetts' Medical Marijuana Law: An Overview

On November 6, 2012, Massachusetts voters approved Question 3, making Massachusetts the 18th state to allow the medical use of marijuana.

In a nutshell, what does Question 3 do? Question 3 allows patients with debilitating medical conditions to possess up to a 60-day supply of medical marijuana, and it establishes a regulated system of dispensaries.

When did the new law take effect? The law went into effect January 1, 2013. The rollout of the program was beset by delays, but the first dispensary finally began serving patients in June 2015.

How do patients qualify for legal protection under the law? First, a patient must obtain a written certification from his or her doctor. The doctor must have a bona fide relationship with the patient and must conduct a full assessment of the patient. Then the patient must [apply to the Cannabis Control Commission for a registration card](#), which allows the patient to be clearly identified as legal by law enforcement officers.

How much medical cannabis does the new law allow qualifying patients to possess? Question 3 requires the department to determine what amount should be considered a presumptive sixty-day supply based on the best available evidence. This was determined to be 10 ounces.

What conditions must patients have to qualify? Question 3 allows doctors to recommend medical marijuana for the following medical conditions: Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis, and other debilitating conditions as determined in writing by a qualifying patient's physician. Rules define debilitating as "causing weakness, cachexia, wasting syndrome, intractable pain, or nausea, or impairing strength or ability, and progressing to such an extent that one or more of a patient's major life activities is substantially limited."

How can a patient qualify to legally grow marijuana? Question 3 includes the following

“hardship” provision: “The Department shall issue a cultivation registration to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to access reasonable transportation, or the lack of a treatment center within a reasonable distance of the patient’s residence... Such registration shall allow the patient or the patient’s personal caregiver to cultivate a limited number of plants, sufficient to maintain a 60-day supply of marijuana, and shall require cultivation and storage only in an enclosed, locked facility.”

Visit the [Cannabis Control Commission medical cannabis page](#) for more information.