

DEPARTMENT Policy

SUBJECT: Medical Cannabis Certification Policy	EFFECTIVE DATE: December 20, 2019	POLICY NO: M-12
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SCOPE:

The Policy is intended to direct the manner in which DuPage Medical Group Physicians and Approved Practitioners (Qualifying DuPage Medical Group APN's and PA's) certify patients who meet the criteria for medical cannabis and/or participation in the Opioid Alternative Pilot Program (OAPP).

PURPOSE:

The purpose of this policy is to facilitate compliance in accordance with the Medical Cannabis Patient Program (MCP) and the Opioid Alternative Pilot Program (OAPP), previously known as the Compassionate Use of Medical Cannabis Pilot Program.

PROGRAM:

Certification of a patient is optional. DuPage Medical Group Physicians/Approved Practitioners are NOT obligated to certify patients for medical marijuana.

Any DuPage Medical Group Physician/Approved Practitioner must be willing and able to follow all of the requirements for certification. Certification is an individual decision for each Physician/Approved Practitioner to make in each patient's plan of care. Physicians/Approved Practitioners who are employed by DuPage Medical Group are to follow the guidelines outlined below before completing the certification for a patient.

QUALIFICATIONS:

Qualifying Physician:

If a physician chooses to certify his/her patient, the following conditions must be met:

1. Physician is currently a licensed physician under the Medical Practice Act of 1987 and is in good standing with the state of Illinois.
2. Must hold a controlled substance license under Article III of the Illinois Controlled Substance Act.

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1. Physician completes the Medical Cannabis webinar offered through Illinois Academy for Family Physicians (IAFP) and signs the attestation form.

Qualifying Approved Practitioner:

The Medical Cannabis Patient Program (MCP) and the Opioid Alternative Pilot Program (OAPP) allow Advance Practice Nurses (APN) and Physician Assistants (PA) to complete a certification for a debilitating medical condition for qualifying patients. In the event an Approved Practitioner (Qualifying DuPage Medical Group APN's and PA's) wishes to participate in this Program and chooses to certify his/her patient, the following conditions must be met:

1. Have the approval of their Collaborating Physician and the Medical Director of the DuPage Medical Group.
2. Approved Practitioner completes the Medical Cannabis webinar offered through Illinois Academy for Family Physicians (IAFP) and signs the attestation form.

PROCEDURE: Medical Cannabis Patient Program (MCP)

In order to comply with Illinois Law, each DuPage Medical Group Physician/Approved Practitioner who chooses to certify a patient must go through the following steps before completing the certification for each patient:

1. Have a bona-fide physician-patient relationship with the qualifying patient. The bona-fide physician-patient relationship may not be limited to issuing a written certification for the patient or a consultation simply for that purpose. At a minimum, there must be a three-month patient-physician relationship.
2. Have responsibility for the ongoing care and treatment of the qualifying patient's debilitating condition, provided that the ongoing treatment and care shall not be limited to or for the primary purpose of certifying a debilitating medical condition or providing a consultation solely for that purpose.
3. Complete an in-person full assessment of the patient's medical history and current medical condition, including a personal physical examination prior to completing the Physician's/Approved Practitioner's certification.
4. The assessment of the qualifying patient's current medical condition shall include, but not be limited to, symptoms, signs, and diagnostic testing related to the debilitating medical condition.
5. Certify that the qualifying patient is under the Physician's/Approved Practitioner's care, either for the qualifying patient's primary care or for his or her debilitating medical condition or symptoms of a debilitating medical condition.
6. The Physician/Approved Practitioner should discuss with and advise the qualifying patient about the potential medical benefits and risk of using marijuana for the medical condition for which the patient is certified.
7. The Physician/Approved Practitioner must certify that the patient has a debilitating medical condition. The qualifying conditions can be found here: <http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/debilitating-conditions>
8. No Physician/Approved Practitioner may write a prescription for or otherwise "order" medical marijuana. The state legislature has designated the amount of marijuana a patient can receive. The physician's role is limited simply to certification.

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9. In order to certify a patient, the physician is obligated to complete the documentation certifying the patient for the use of medical marijuana. Once the above criteria have been met, the forms needed for certification can be obtained at: <http://www.dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis>. The physician must complete the physician written certification document and sign it in blue ink. Give the completed, certification document to the patient and ask them to include a copy with their application for a registry identification card. Patients may apply on-line at <https://medicalcannabispatients.illinois.gov>
10. One copy of the certification documentation MUST be placed in the patient's permanent chart at DuPage Medical Group.
11. The certifying health care professional can revoke a patient's registry card for the following reasons:
 - a. If the physician has reason to believe either that the registered qualifying patient has ceased to suffer from a debilitating medical condition;
 - b. That the bona fide physician-patient relationship has terminated; or
 - c. That continued use of medical cannabis would result in contraindication with the patient's other medication.

The DuPage Medical Group strongly discourages its Physicians/Approved Practitioners from completing the Physician Waiver Recommendation Form (a written statement asserting that in the physician's professional judgement, 2.5 ounces is an insufficient adequate supply to properly alleviate the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.)

Note – For patient application purposes, the Physician/Approved Practitioner' Certification is valid for 90 days from the date of the in-person medical examination. Certifying health care professionals may request follow-up visits with the patients as part of the ongoing care and treatment for the patient's debilitating medical conditions. Failure to comply may result in having the medical cannabis registry identification card revoked by the health care professional.

PROCEDURE: Opioid Alternative Pilot Program (OAPP)

The Opioid Alternative Pilot Program was designed to provide patients with an option to manage their pain. OAPP allows access to medical cannabis for individuals who have or could receive a prescription for opioids as certified by a physician licensed in Illinois. Registered OAPP patients may purchase medical cannabis at a licensed Illinois medical cannabis dispensary.

Individuals can register on-line through the Illinois Cannabis Tracking System at <https://etk.icts.illinois.gov>.

Conditions:

1. Qualifying patients for OAPP must be at least 21 years old and be a resident of Illinois.
2. Licensed physicians must certify the qualifying patient has a medical condition for which an opioid has been or could be prescribed based on generally accepted standards of care.

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3. Registered patients are eligible to purchase 2.5 ounces of medical cannabis every 14 days.
4. Physician certifications are valid for 90 days but can be renewed to allow patients to continue accessing medical cannabis. A \$10 fee is required for each 90-day registration period.

Process:

1. Patient needs to have an assessment completed by a physician.
2. Physician completes a certification using the Illinois Cannabis Tracking System. <https://etk.icts.illinois.gov>.
3. After the physician certification, patients will create a user account to register online, at a licensed medical cannabis dispensary, or at a local health department that offers assistance. A passport-like photo, copy of driver's license/state ID, proof of Illinois address, and \$10 payment are required.
4. Once all the required information is uploaded into the system and the payment is submitted, the individual will receive an electronic medical cannabis registry card.

RESTRICTIONS:

If a DuPage Medical Group Physician/Approved Practitioner certifies a patient, he/she cannot:

1. Possess, dispense or distribute marijuana in any way.
2. Accept, solicit, or offer any form of payment from or to a qualifying patient, primary caregiver, cultivation center, or dispensing organization, including each principal officer, board member, agent, and employee other than accepting payment from a patient for the fee associated with the examination required prior to certifying a qualifying patient.
3. Offer a discount of any other item of value to a qualifying patient who uses or agrees to use a particular primary caregiver or dispensing organization to obtain medical cannabis; Conduct a personal physical examination of a patient for purposes of diagnosing a debilitating medical condition at a location where medical cannabis is sold or distributed or at the address of a principal officer, agent, or employee or a medical cannabis organization.
4. Hold a direct or indirect economic interest in a cultivation center or dispensing organization if he or she recommends the use of medical cannabis to qualified patients or is in a partnership or other fee sharing relationship with a physician who recommends medical cannabis.
5. Serve on the board of directors or as an employee of a cultivation center or dispensing organization.
6. Refer patients to a cultivation center, a dispensing organization, or a registered designated caregiver; or advertise in a cultivation center or a dispensing organization.

REFERENCES AND RESOURCES:

Medical Cannabis:

[IDPH website: Medical Cannabis Patient Registry Program](http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis)

<http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis>

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Illinois Legislation: Public Health Act (410 ILCS 130/) Compassionate Use of Medical Cannabis Program Act

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3503&ChapterID=35>

[IDPH website: Medical Cannabis: Physician Information](http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/physician-information)

<http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/physician-information>

[Opioid Alternative Pilot Program:](http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/opioid-alternative-pilot-program)

IDPH website: Opioid Alternative Pilot Program

<http://dph.illinois.gov/topics-services/prevention-wellness/medical-cannabis/opioid-alternative-pilot-program>

Illinois Legislation: Alternatives to Opioids Act of 2018

<http://www.ilga.gov/legislation/publicacts/100/PDF/100-1114.pdf>