New Mexico Department of Health Medical Cannabis Program
Q&A - IMPORTANT INFORMATION REGARDING RECIPROCAL PARTICIPATION

Due to recently enacted changes concerning the Medical Cannabis Program, reciprocal participants will need to meet the following criteria in order to participate as a reciprocal participant in the State of New Mexico Medical Cannabis Program:

- Present a government-issued proof of authorization
- Present a government-issued photo identification card
- Register electronically **at a dispensary** in order to track units of medical cannabis purchased
- Sign your electronic registration at the dispensary (dispensary staff cannot sign for you)

Q. Who is eligible?

A. An individual who has government issued proof of authorization to participate in the medical cannabis program from another state, the District of Columbia, a territory or commonwealth of the United States, or a New Mexico Indian nation, tribe, or pueblo and who resides in the same location as the entity which issued the proof of authorization.

Q. What is meant by "Government-issued Proof of authorization"?

A. The proof of authorization must consist of a card or other physical document issued by a governmental entity authorized by law to enroll the applicant in the medical cannabis program in the originating jurisdiction. *A letter from a medical provider stating you may be eligible is not sufficient.*

Q. What is meant by "Government-issued Photo identification"?

A. This is a *government-issued* photo identification such as a driving license or state ID card showing your address. The government-issued photo identification must show you reside within the same state, the District of Columbia, a territory or commonwealth of the United States, or a New Mexico Indian nation, tribe, or pueblo as your proof of authorization. *Please note: a passport or other photo* ID *are not accepted as an ID for reciprocal purposes.*

Q. I am a New Mexico Resident, can I legally register as a reciprocal participant?

A. If you are a New Mexico resident you may NOT register as a reciprocal participant, you must enroll as a qualified participant in the New Mexico Medical Cannabis Program unless you are authorized to participate in a medical cannabis program of a New Mexico Indian nation, tribe, or pueblo.

Q. I am already a qualified patient in NM, can I also register as a reciprocal participant?

A. No. If you are already registered as a patient in the NM Medical Cannabis Program you cannot also legally enroll as a reciprocal participant.

Q. I live in one state and have a photo-ID showing I live there, but my proof of authorization is from a different state. Can I legally register as a reciprocal participant in NM?

A. No. The government-issued ID and the government-issued proof of authorization must be from the same state, the District of Columbia, a territory or commonwealth of the US, or a NM Indian nation, tribe, or pueblo.

Q. I live in NM and plan to enroll as a patient in NM, but have not yet received my Patient Card. Can I legally register as a reciprocal participant until I get my card?

A. No. You cannot be both a patient in the NM Medical Cannabis Program and be a reciprocal participant. Residents of NM must enroll as a qualified patient and cannot legally enroll as a reciprocal participant.

Q. Can I register as a reciprocal participant online?

A. Online registration is not available as the documents showing eligibility have to be checked at the point of purchase, every time you purchase.

Q. Do I have to register at a dispensary?

A. Yes. Every reciprocal participant must register at a dispensary their first time purchasing medical cannabis in NM.

Q. Do I have to register at every dispensary where I plan to purchase?

A. No. You only have to register once each year and your reciprocal ID number will be in the state-wide system as a reciprocal participant. Attempting to register at multiple dispensaries may result in the reciprocal participant registration being rejected in order to help prevent you from potential fraud.

Q. Can I purchase as a reciprocal participant without registering?

A. Not at this time. Reciprocal participants must register to track the number of units purchased. Once adult use sales start in NM (by April 1, 2022), any adult over 21 may purchase cannabis. However, if an individual chooses not to register for the reciprocal participant program, they are not able to participate in the benefits of the medical cannabis program such as purchasing medical cannabis without paying state taxes.

Q. Can I use a reciprocal card from another state (or NM) as the government-issued proof of authorization?

A. No, a reciprocal card is not a government-issued proof of authorization to participate in a program in the place of residence, (it provides proof of residence in a different jurisdiction).

Q. Do I have to present my proof of authorization and photo ID every time I purchase as a reciprocal participant?

A. Yes. The statute requires you present both of these documents every time you purchase.

Q. I previously registered and now my reciprocal participant ID does not work. Why?

A. There could be many reasons. One of the most common is, if you registered and the record was not complete, or the registration did not meet current statute and/or regulations, then the registration may have been revoked. The program reviews all registrations for compliance regularly. If your registration is revoked, you are welcome to complete a new record with a dispensary so long as you meet the criteria and follow the current regulations.

Q. How long is my reciprocal participant card good for?

A. One year, or as long as you can present current proof of enrollment in another medical cannabis program. Once your enrollment card from the jurisdiction where you reside expires, you cannot purchase as a reciprocal participant.

Q. How many units can I purchase?

A. 425 units over the course of 90 days A unit is a gram of dried flower/bud or 200 milligrams of THC in a cannabis derived product (edibles, lotions, etc.)

Q. Can I get an increase to purchase more units?

A. No.

Q. Can I register more than once as a reciprocal participant?

A. No. If you register more than once, it is a violation of the registration process, and the registrations will be revoked.

Q. Can a dispensary refuse to sell to me as a reciprocal participant?

A. Not all dispensaries are registered for reciprocal sales and they may not sell reciprocally until they are registered.

Q. What is the process for becoming a reciprocal participant?

A. Go to a dispensary and present your government-issued proof of authorization, government-issued photo ID. The dispensary staff can then upload your information to the registration system for reciprocal participants. You must sign the acknowledgment in the electronic registration system at the dispensary that you have been informed of the requirements and limitations of the program. Dispensary staff cannot sign for you!

Q. Where can I find the Lynn and Erin Compassionate Use Act and the Medical Cannabis Program Rules and Regulations?

A. The statutes and program rules and regulations can be found on the Medical Cannabis Program webpage: https://www.nmhealth.org/about/mcp/svcs/ go to the "I want to…" drop down menu and select "Find out the Rules and Regulations". The citation for reciprocal participants in the statute is 26-2b-7 J NMSA.