**Section 946.10 Definitions**

"Act" means the Compassionate Use of Medical Cannabis Program Act [410 ILCS 130].

"*Adequate supply" means 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source* and purchased at a licensed Illinois dispensing organization*.* (Section 10(a)(1) of the Act)

"Administer" or "Administration" means the direct introduction of medical cannabis into the body of a person, whether by inhalation, ingestion, or any other means.

*"Advanced practice registered nurse" means a person who is licensed under the Nurse Practice Act as an advanced practice registered nurse and has a controlled substances license under Article III of the Illinois Controlled Substances Act.* (Section 10(a-5) of the Act

*"Bona-fide health care professional-patient relationship" means a relationship established at a hospital, certifying health care professional's office, or other health care facility in which the certifying health care professional has an ongoing responsibility for the assessment, care, and treatment of a patient's debilitating medical condition or a symptom of the patient's debilitating medical condition* or has diagnosed a disease or condition for which an opioid was prescribed or could be prescribed and is actively monitoring the effectiveness of the treatment*.* (Section 10(z) of the Act)

"Cannabis" means *marihuana, hashish and other substances which are identified as including any parts of the plant Cannabis sativa* and including any and all derivatives or subspecies, such as Indica, of all strains of cannabis*, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.* (Section 3(a) of the Cannabis Control Act)

"Caregiver" or "designated caregiver" means a person who is designated by a qualifying patient as the person authorized, on the qualifying patient's behalf, to possess, obtain from a certified medical cannabis dispensary, dispense and assist in the administration of medical cannabis.

*"Certifying health care professional" means a physician, an advanced practice registered nurse, or a physician assistant.* (Section 10(d-5) of the Act)

*"Cultivation center"* *means* *a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis*. (Section 10(e) of the Act)

"DD214" means a certified DD214 Certificate of Release or Discharge from Active Duty Member Copy 4 or State Director of Veteran Affairs Copy 6; a certified DD214 Report of Separation from Active Duty Copy 2; or equivalent certified document indicating character of service and dates of service. A DD214 can be certified by the State Department of Veterans' Affairs, county veteran's officials, and the federal Department of Veterans Affairs.

"*Debilitating medical condition*" *means* *cancer, glaucoma, positive status for human immunodeficiency virus* (HIV)*, acquired immune deficiency syndrome* (AIDS)*, hepatitis C, amyotrophic lateral sclerosis* (ALS)*, Crohn's disease (including, but not limited to, ulcerative colitis), agitation of Alzheimer's disease, cachexia/wasting syndrome, muscular dystrophy, severe fibromyalgia, spinal cord disease, including but not limited to arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia, Rheumatoid arthritis* (RA)*, fibrous dysplasia, spinal cord injury, traumatic brain injury* (TBI) *and post-concussion syndrome, Multiple Sclerosis, Arnold-Chiari malformation and Syringomelia, Spinocerebellar Ataxia (SCA), Parkinson's* disease*, Tourette's* syndrome, *Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD (Complex Regional Pain Syndromes Type I), Causalgia, CRPS (Complex Regional Pain Syndromes Type II), Neurofibromatosis, Chronic Inflammatory Demyelinating Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella syndrome, residual limb pain, seizures (including those characteristic of epilepsy); and post-traumatic stress disorder (PTSD), autism, chronic pain, irritable bowel syndrome, migraines, osteoarthritis, anorexia nervosa, Ehlers-Danlos Syndrome, Neuro-Behcet's Autoimmune Disease, neuropathy, polycystic kidney disease, superior canal dehiscence syndrome,* intractable pain, *or the treatment of these conditions; or any other debilitating medical condition that is added* pursuant to the statute or *by the Department by rule as provided in Section* 946.30. (Section 10(h) of the Act)

"Department" means the Illinois Department of Public Health.

"Director" means the Director of the Illinois Department of Public Health or his or her designee.

"Evidence-based medical research" means documentation of published, peer-reviewed best evidence on research related to the use of medical cannabis, which includes up-to-date information from relevant, valid research about the effects of medical cannabis on different forms of diseases and conditions, its use in health care, the potential for harm from exposure, and other relevant medical information.

"Health care facility" means any and all facilities and agencies licensed by the Department, including, but not limited to, those registered under the Hospital Licensing Act, Nursing Home Care Act, Ambulatory Surgical Treatment Center Act, Alternative Health Care Delivery Act, Hospice Program Licensing Act, Specialized Mental Health Rehabilitation Act of 2013 and any nursing facility operated by the Illinois Department of Veterans' Affairs.

"Health care professional" means a physician, an advanced practice registered nurse, or a physician assistant.

"Medical cannabis" means cannabis and its constituent cannabinoids, such as tetrahydrocannabinol (THC) and cannabidiol (CBD), used as an herbal remedy or therapy to treat disease or alleviate symptoms. Medical cannabis can be administered in a variety of ways, including, but not limited to: vaporizing or smoking dried buds; using concentrates; administering tinctures or tonics; applying topicals such as ointments or balms; or consuming medical cannabis-infused food products.

"*Medical cannabis container*" *means* *a sealed, traceable, food compliant, tamper resistant, container or package used for the purpose of containment of medical cannabis.* (Section 10(n) of the Act)

"*Medical cannabis dispensing organization*" or "*Dispensing organization"* *means* *a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing* medical *cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or Opioid Alternative Pilot Program participant*. (Section 10(o) of the Act)

"*Medical cannabis-infused product*" *means* *food, oils, ointments,* sodas or teas, capsules *or other products containing usable cannabis that are not smoked.* (Section 10(q) of the Act)

*"Opioid" means a narcotic drug or substance that is a Schedule II controlled substance under Section 206 (b)(1), (2), (3), or (5) or (c) of the Illinois Controlled Substances Act.* (Section 10 (r-5) of the Act)

*"Opioid Alternative Pilot Program participant" means an individual who has received a valid written certification to participate in the Opioid Alternative Pilot Program for a medical condition for which an opioid has been or could be prescribed by a certifying health care professional based on generally accepted standards of care.* (Section 10(r-10) of the Act)

"Petitioner" means an applicant who seeks to add debilitating medical conditions to those listed in Section 10(h) of the Act as allowed under Section 946.30.

*"Physician" means a doctor of medicine or doctor of osteopathy licensed under the Medical Practice Act of 1987 to practice medicine and who has a controlled substances license under Article III of the Illinois Controlled Substances Act. It does not include a licensed practitioner under any other Act including but not limited to the Illinois Dental Practice Act.*  (Section 10(s) of the Act)

*"Physician assistant" means a physician assistant licensed under the Physician Assistant Practice Act of 1987 and who has a controlled substances license under Article III of the Illinois Controlled Substances Act.* (Section 10(s-1) of the Act)

"Private residence" means the part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin or cottage. For the purposes of this definition, a hotel, motel, inn, resort, lodge, bed and breakfast or other similar public accommodation, hospital, nursing home or assisted living facility shall not be considered a private residence.

"Promptly" means as soon as reasonably practicable, but not later than five days.

"Provisional patient" means a qualifying patient who has received a provisional registration from the Department of Public Health.

*"Provisional registration" means a document issued by the Department of Public Health to a qualifying patient* or designated caregiver *who has submitted:*

*a* valid and complete *online application and paid a fee to participate in* the *Compassionate Use of Medical Cannabis Program pending approval or denial of the patient's application; or*

*a completed application for terminal illness.* (Section 10(s-5) of the Act)

"Public place" means any place where an individual could reasonably be expected to be observed by others, including all parts of buildings owned in whole or in part or leased by the State or a unit of local government. A "public place" does not include health care facilities, as defined in this Part, or private residences unless the private residence is used to provide child care, foster care or other similar social service care on the premises.

"*Qualifying patient" means a person who has been diagnosed by a certifying health care professional as having a debilitating medical condition.* (Section 10(t) of the Act)

"Reasonable amount" means less than 2,000 grams of cannabis for any conviction that occurred in the past 10 years or any amount of cannabis if the felony in the jurisdiction where the conviction occurred has been reclassified as a misdemeanor or petty offense since the time of the conviction.

"Registered qualifying patient" means a qualifying patient who has been approved by the Department and has been issued a registry identification card.

"*Registry identification card"* or "medical cannabis patient registry card" *means* *a document issued by the Department that identifies a person as a current registered qualifying patient or registered designated caregiver.* (Section 10(v) of the Act)

"Resident" means a person who maintains a legal place of residence in the State of Illinois.

"Reviewing health care professional" means a health care professional who has conducted a review of the medical records from other health care professionals treating a qualifying patient who is under 18 years of age for the purpose of confirming the diagnosis of debilitating medical conditions as defined in the Act.

"Spinal cord injury" means damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity.

"Terminal illness" means a debilitating condition or other illness for which the qualifying patient has received a diagnosis for a life expectancy of six months or less.

"Tincture" means cannabis flowered tops and leaves that are soaked in liquid, usually an alcohol solution, transferring the THC and other cannabanoids to the liquid. The tincture may be added to foods and liquids, applied to the skin, or consumed directly by drinking a small quantity or placing a few drops under the tongue.

"Tetrahydrocannabinol" or "THC" means the primary active ingredient in cannabis.

"VA" means federal Department of Veterans Affairs.

"Veteran" means person who served in one of the five active-duty Armed Services or their respective Guard or Reserve units, and who was discharged or released from service under conditions other than dishonorable.

"VA health care facility" means a health care facility operated by the federal Department of Veterans Affairs-Veterans Health Administration providing hospital and outpatient health care services to U.S. military service veterans.

"VA medical records" means records from the VA documenting medical conditions, medications, and dates of treatment in the VA healthcare system. Records shall include, but not be limited to, information from the patient's VA health record found at www.myhealth.va.gov.

"*Written certification*" *means* *a document,* on a form specified by the Department, *dated and signed by a certifying health care professional, stating:*

*that the qualifying patient has a debilitating medical condition and specifying the debilitating medical condition the qualifying patient has; and*

*that:*

*the certifying health care professional is treating or managing treatment of the patient's debilitating condition; or*

*an Opioid Alternative Pilot Program Participant has a medical condition for which opioids have been or could be prescribed.*

*A written certification shall be made only in the course of a bona-fide health care professional-patient relationship, after the* certifying *health care professional has completed an assessment of either a qualifying patient's medical history or Opioid Alternative Pilot Program participant, reviewed relevant records related to the patient's debilitating condition, and conducted a physical examination*. (Section 10(y) of the Act)

(Source: Amended at 45 Ill. Reg. 6205, effective April 27, 2021)