

# Patient Rights & Protections

As a certified medical cannabis patient, you have rights and protections afforded to you by New York State.



## The Right to Quality Care

**As a certified medical cannabis patient, you have the right to explore your health care options and discuss medical cannabis with a healthcare provider. This includes:**

- The ability to discuss medical cannabis treatment without being stigmatized or judged
- Access to a certifying provider who can assist you with medical cannabis certification and provide continuation of care for your medical needs, including medical cannabis treatment
- Access to an on-site pharmacist at a medical cannabis dispensary to talk to you about cannabis dosing and product recommendations
- Access to lab tested medical cannabis products
- The ability to designate up to 5 caregivers to assist you with buying, storing, transporting, and administering medical cannabis



## The Right to Privacy

**As a certified medical cannabis patient, you have the right to keep your status as a certified medical cannabis patient private.**

- Your status as a certified medical cannabis patient is considered protected health information.
- You do not have to disclose your status as a certified medical cannabis patient, even with an employer, law enforcement, or a court.
- It is your right to choose when and with whom to share your status. Upon your written request, the Office of Cannabis Management can confirm your status as a certified medical cannabis patient with institutions, such as a school or employer, if need be.



## The Right to Possess and Consume Medical Cannabis

**As a certified medical cannabis patient, your medical use of cannabis is protected under the Cannabis Law.**

- You have the right to consume medical cannabis in your home, including but not limited to smoking or vaping whole cannabis flower, cannabis concentrate, and/or ground plant products. Please note that landlords can only prohibit the use of medical cannabis if it would put them at risk of losing a federal benefit.
- You have the right to possess up to a 60-day supply of medical cannabis based on the dose of cannabis products determined by your practitioner or the dispensary pharmacist.
- You **cannot** be denied any right or privilege solely for possessing or consuming medical cannabis.
- You **cannot** be subject to arrest, prosecution, or penalty solely for possessing or consuming medical cannabis.



## The Right to Grow Cannabis

As a certified medical cannabis patient aged 21 or older you have the right to grow (“cultivate”) medical cannabis for your personal medical use. Each certified patient can cultivate, harvest, and dry 3 mature and 3 immature cannabis plants. If there are multiple patients living in one household, no more than 6 mature and 6 immature cannabis plants can be grown in the home. There are, however, options for having a designated caregiver grow for the medical cannabis patient.

Growing cannabis for medical purposes cannot be prohibited by a landlord, homeowner association, or co-op board, except if the landlord would lose a federal benefit. For more information on medical cannabis home cultivation in New York, link here to the [Medical Home Cultivation Guide](#).



## The Right to Reasonable Accommodations

Your status as a certified medical cannabis patient is considered a disability under the [New York State Human Rights Law](#).

- Employers and businesses open to the public are required to provide reasonable accommodations for a person with a disability. A reasonable accommodation may include a modification or adjustment to a work or public environment to accommodate the patient’s certified use of medical cannabis.
- As a certified medical cannabis patient, you have the same rights to reasonable accommodations and amended job duties that are available to injured workers under the workers’ compensation law.

The refusal to make reasonable modifications to policies, practices, and procedures for a person with a disability is an unlawful discriminatory practice.



## Legal Protections

As a patient in the Medical Cannabis Program, you have the right to lawfully consume cannabis without fear of prosecution or arrest. Below are protections outlined in the Cannabis Law:

- If you are a part of a domestic violence, social services, or family court case, your status as a certified medical cannabis patient **cannot** be held against you.
- If you are under parole, probation, or released on bail awaiting trial, you **cannot** be punished for your status as a certified medical cannabis patient.
- You **cannot** be fired for your status as a certified medical cannabis patient.

**It is important to remember it is still illegal for ANY individual to drive or operate a motor vehicle while consuming and/or impaired by cannabis.**



Office of Cannabis  
Management

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