

New Mexico Department of Health issues clarification on cannabis cards

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SANTA FE, NM – The New Mexico Department of Health would like to clarify that the Alternative Writ of Mandamus, which was signed by Judge Bryan Biedscheid on Aug. 5, which proposes to compel NMDOH to issue medical cannabis cards to out-of-state residents, is not a final decision of the Court.

Pursuant to the Alternative Writ of Mandamus, NMSA, 44-2-7, the Department of Health is permitted to file, in the 'alternative' to enrolling non-residents, an Answer to the Alternative Writ to show why it should not be required to enroll non-residents.

The New Mexico Department of Health maintains that it is not required by law to enroll non-New Mexico residents as qualified patients in the NMDOH Medical Cannabis Program and anticipates filing its answer Aug. 19 and appearing before Judge Biedscheid at the hearing on Aug. 21.

Until this matter has been heard on Aug. 21, DOH will not be issuing patient cards to out-of-state residents. This is because an Alternative Writ is not permanent, or final, until a court order is issued after the hearing.