

North Dakota medical marijuana program adding edibles, making eligibility changes

BY MICHAEL
ACHTERLING
North Dakota Monitor

BISMARCK — Changes to North Dakota’s medical marijuana program aimed at expanding program access and product options for patients are set to go into effect Aug. 1.

The North Dakota Legislature passed a series of bills during the 2025 legislative session that changed the state’s medical marijuana laws. The new changes will allow for low-dose THC (tetrahydrocannabinol) edibles to be sold at medical dispensaries. The application process will change to allow patients easier access to the program for a longer time before needing to renew their medical cannabis cards.

House Bill 1203 will allow THC edible products to be included in the state’s medical marijuana program. The products must be hard or soft lozenges in a square shape that contain no more than 5 milligrams of THC per serving and no more than 50 milligrams in a package. Other food and beverages that contain THC will still not be allowed under the new law.

Jake Mittelsteadt, director of retail operations for Pure Dakota Health, a medical marijuana dispensary in Bismarck, said the new law allowing edible products to be sold to patients could be a game-changer. “Since day one of this program, the amount of people that joined the program, that come to the state, everybody, especially in the older demographics, their priorities have always been gummies and edibles,” Mittelsteadt said.

Medical dispensaries have been able to carry other oral products, such

as tinctures or capsules, but edibles are what patients prefer, he said. “Having something simple, straightforward, accurate and safe that we can provide to patients as a non-inhalation method of administration is going to, in my opinion, completely revolutionize the program here in North Dakota,” Mittelsteadt said.

Like all of the state’s medical marijuana products, the edibles will be manufactured and processed in North Dakota. Production can’t begin until Aug. 1, so he said the new edibles should be on dispensary shelves by the end of August or early September.

There was some opposition to the changes.

Stephanie Engebretson submitted testimony in opposition to the edibles bill on behalf of the Chiefs of Police Association of North Dakota. In her testimony, she said edibles are the THC product that children are most likely to consume and the edibles take longer to feel the product’s effect, which could cause some customers to take more doses and compound the effects.

She said the organization suggested the bill be amended to require edible products to be stored in a locked location when children are present and remove the flavoring of the edible product to ensure children do not find a flavor they enjoy, if they do encounter it.

None of the suggestions were included in the final version of the legislation.

Rep. Steve Vetter, R-Grand Forks, chief sponsor of the bill allowing edibles, said he was voted into the Legislature in 2016, the same election as the medical marijuana program ballot measure, which was approved with 64% of the statewide vote. During that campaign, he said he heard from multiple North Dakotans about their desire for edible

products. “This is a bigger deal, generally, for the elderly population,” Vetter said. He added the effects of edible products react differently in the body compared to other methods of delivery and can be beneficial for some ailments, like chronic pain.

Another change as a result of the bill will allow tele-health care providers to be used during an initial meeting to qualify a patient’s illness for a medical marijuana card. More than two dozen debilitating illnesses qualify for the medical cannabis program under state law.

Mittelsteadt said he believes removing the in-person visit hurdles will allow more potential patients into the medical marijuana program. Previously, tele-health appointments could only be used to renew a patient’s medical marijuana card.

He said the tele-health option is also important because some North Dakota health care providers have refused to issue chronic condition documentation for patients to obtain their cards. Mittelsteadt added there is no health care provider in Williston willing to meet with patients to obtain a medical marijuana card. The closest health care provider willing to work with potential medical marijuana patients in northwest North Dakota is in Watford City, he said.

“That certainly has gotten better over the years as people have become more comfortable with it (the program),” Mittelsteadt said. “But it has also been a gigantic pain point for us and for patients here in North Dakota.”

Jason Wahl, director of the medical marijuana program for the Department of Health and Human Services, said the state cannot force health care providers to participate in the medical

marijuana application process. “It is completely up to that health care provider. The department has no say in regards to that, nor should the department have a say in regards to what a health care provider is going to do with their patient,” Wahl said.

Another new law, Senate Bill 2294, will change the expiration dates of medical marijuana cards from one-year to two-year terms.

Vetter said the competition from recreational cannabis markets in neighboring Montana and Minnesota will be something lawmakers will need to continue to monitor to keep North Dakota’s medical marijuana program stable.

“That was a driving force this last time, essentially, if we don’t keep these places open, then what we have is a bunch of people breaking the law,” he said.

Leaves are trimmed from the flower of a marijuana plant. (Contributed/Pure Dakota)

Mittelsteadt said Pure Dakota Health has retail locations in Williston, Bismarck and Fargo, but the Williston location has not seen as much of an increase in foot traffic over the last year.

“Our Williston location is so close to the (Montana) border that we have some competition there,” he said. “But looking here in Bismarck, we’ve definitely seen a marketable growth in patient count over the last year.”

According to the 2024 North Dakota medical marijuana annual report, more than 10,000 medical marijuana patient cards were issued by the state last year, including dozens of caregivers who are able to purchase medical marijuana for their patients who may not be able to go to a dispensary.

“While there was growth in the registered, qualifying patient population, that growth really



Contributed / Pure Dakota
Cory Barthel, a staff member at Pure Dakota, a medical marijuana manufacturing and processor, trims a cannabis plant at the facility in Bismarck.



Contributed / Pure Dakota
Todd Nagel, production manager for Pure Dakota, a medical marijuana manufacturing and processor, inspects plants at their facility in Bismarck.

leveled off a little while ago,” Wahl said.

Wahl said, after an initial allotment of general and special funds from the Legislature during the 2017-19 biennium to get their office up and running, the medical marijuana program’s budget has been completely covered by the permit and application fees.

North Dakota’s medical marijuana law became effective in 2017 and, by 2020, the medical cannabis dispensaries raked up \$6.4 million in total sales. Sales tripled over the next two years, rising to \$20 million in 2022, but have recently stabilized, totaling \$22.4 million last year.

Under state law, North Dakota allows only two permitted manufacturing and processing facilities and eight retail dispensaries for the entire state.

Another bill set to take effect in August, Senate Bill 2293, will set the maximum container size for THC concentrate at 1

gram. It also allows those who are unable to receive North Dakota identification cards due to a medical condition to submit other documentation to qualify for the medical marijuana program.

Mittelsteadt said the 2025 legislative session was a big step forward in preserving the medical marijuana program in North Dakota.

“This most recent legislative session has been the most promising, in terms of them saying, ‘Let’s do something to actually benefit the patients and actually benefit the program,’” Mittelsteadt said. “Let’s keep running with it. Listen to the feedback from the patients, listen to the feedback from the industry ... just using common sense when we’re looking at this is going to be vital.”

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LOCAL BRIEF

ND Emergency Services renames 2 departments

BISMARCK — The North Dakota Department of Emergency Services announced on Thursday, July 31, that it will rename two of its divisions, effective Friday.

At the directive of House Bill 1079, which was introduced by the department and signed into law, the Homeland Security division will now be called the Division of Homeland Security and Emergency Management and the State Radio will be called the State Emergency Communications Center, according to a Thursday release.

“The agency receives many calls regarding border missions, immigration problems, and foreign activity in the state; however, North

Dakota Century Code provides minimal authority or direction for providing what is viewed by many as ‘homeland security.’ In addition, there is a risk of confusion for those seeking assistance before and after a natural disaster as they are not likely to correlate ‘homeland security’ with disaster assistance,” Homeland Security and Emergency Management Director Darin Hanson said in testimony.

Changing the State Radio name to Emergency Communications Center reflects the technological capacity the division has gained, he said.

“These changes help align division names with the work our teams do every day to keep North Dakotans safe,” Hanson said in the release.

Forum staff report

ND lawmakers to meet on personal security after Minn. attacks

BY MATT HENSON
WDAY

BISMARCK — North Dakota lawmakers will soon take a closer look at their personal safety.

In two weeks, a legislative committee consisting of leaders from both chambers will gather to discuss new security measures for lawmakers.

The meeting follows the June attack on two Minnesota lawmakers at their homes, which killed Rep. Melissa Hortman and her husband, Mark, in Brooklyn Park. State Sen. John Hoffman and his wife, Yvette, were shot at their home in Champlin.

Later that same day, the North Dakota IT department removed the home

addresses of all lawmakers from the legislative website.

Home security will be the focus of the upcoming meeting. Some lawmakers, however, want the addresses reposted.

“They want to be close to the people,” said Legislative Council Director John Bjornson. “It’s just ... there are some bad actors, there are regular threats and they take them seriously, we take them seriously.”

Bjornson said a much more in-depth meeting will take place this fall between the legislative committee and other security personnel.

Security of the North Dakota Capitol is reviewed regularly and is



Forum file photo
The North Dakota House of Representatives.

not the main focus of this committee at this time, officials said.

Reach WDAY reporter Matt Henson at mhenson@wday.com.

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