



ISAP Medical Marijuana Task Force Michigan Medical Marijuana Law Recommendations 2011

In November, 2008, the voters of Michigan approved a ballot initiative that made it legal to use marijuana for medicinal purposes, under carefully prescribed circumstances. However, the federal Controlled Substance Act prohibits the possession of Marijuana even when state law authorizes its use to treat medical conditions. During the implementation of the law, local units of government and other interested parties have been asked to intervene to interpret and clarify details of the law implementation. It is in the implementation of the law that the Ingham Substance Abuse Prevention Coalition has suggestions for improvement to the Michigan Legislature. These recommendations are not the only recommendations, but the top three issues identified by ISAP. These recommendations were developed in conjunction with the Ingham County Health Department.

1. FACT: According to the Michigan Medical Marijuana Program (MMMP) there are minors who are registered patients using Marijuana through this law. The language passed on the ballot, did not speak to the age of medical Marijuana users. Marijuana is a drug that alters the structure and function of the brain and is not appropriate for use by minors under the age of 18.

1. RECOMMENDATION: Prohibit the use of Medical Marijuana by minors under the age of 18 except those directly under a physicians care.

2. FACT: Michigan is the only state with a Medical Marijuana Law that does not require a photo on the card for the patient or caregiver.

2. RECOMMENDATION: Michigan Medical Marijuana "Patient" and "Caregiver" Cards should utilize photos on the registration cards.

3. FACT: The Michigan Medical Marijuana Program (MMMP) is a state registry program within the Bureau of Health Professionals at the Michigan Department of Health. Staff is currently six months behind in review and approval/denial of Medical Marijuana cards. Patients who file an application that which is not reviewed within 15 days of receipt are able to utilize their application as an approved registration card.

3. RECOMMENDATION: It is critical that the MMMP catch up on applications so the application no longer serves as an acceptance or denial. Allow 90 days for application to be reviewed instead of 15. Only registered medical marijuana cards would then be accepted, an application would no longer serve in lieu of a card.



4. FACT: The Michigan Medical Marijuana law does not specifically address dispensaries. In States where the medical marijuana laws do address dispensaries, the laws generally establish regulation around zoning, placement, and density of these businesses.

4. RECOMMENDATION: License ordinances for medical marijuana dispensaries should be enacted and reasonably related to police power. There should be standards to guide licensing, such as applications and fees, standards for approval or denial, procedures for suspension, revocation and renewal, and penalties for violations. Fees should be collected to support additional policing of enforcing zoning and compliance. Zoning should permit dispensaries only in general business or industrial zones, with minimum distance requirements from Schools, child care facilities, substance abuse treatment facilities and residential districts.