

Changes to medical-marijuana law kick in Monday

Published: Monday, April 01, 2013



LANSING, Mich. (AP) — Some of the first significant changes to Michigan's medical-marijuana law kick in Monday, including extending the one-year registry cards to two years and setting rules for the doctor-patient relationship for medical-marijuana users.

Voters endorsed the use of medical marijuana in 2008 to alleviate side effects of certain illnesses, such as cancer or chronic pain. But lawmakers said the law left too much open to interpretation and pushed through bipartisan measures at the end of last session designed to clarify the act. One of the biggest changes defines the type of doctor-patient relationship needed before medical marijuana use can be certified.

Democratic Rep. Phil Cavanagh of Redford Township in Wayne County, who sponsored one of the bills, said lawmakers had concerns that the certificates were given out too liberally, like over the phone or Internet.

But starting Monday, doctors must complete face-to-face medical evaluations of patients, review their relevant medical records, and assess their medical condition and history. The amendments also require follow-up with patients after providing the certification to see whether the use of medical marijuana to treat the illness is working.

Cavanagh said this prevents "some out-of-state doctor from coming in, renting a hotel room, writing these

things and then leaving town."

"Now we are saying: 'What's behind that card? Where did you get certified? Who was your doctor?'" said Michael Komorn, a Michigan attorney who specializes in medical-marijuana law. He said the new standards will benefit patients and doctors by outlining what is expected throughout the certification process.

Among other changes that begin Monday — after the bills received the 75 percent approval in December needed to amend voter-approved laws — is that state-issued cards given to people who have a doctor's endorsement will be good for two years instead of one. Applicants also must show proof of residence, like a driver's license or state ID, to get the \$100 cards.

There are more than 131,000 registered medical-marijuana patients in the state. Another 27,000 are caregivers, or people who can grow marijuana for up to five people, according to the Department of Licensing and Regulatory Affairs.

Another significant — and contentious — change is that caregivers will now be disqualified if they have committed a felony within the last 10 years or have ever committed an assault. Previously, the only requirement was that caregivers could not have been previously convicted of a drug felony, Komorn said.

Komorn said some patients will lose their caregiver and be forced to find a new one.

"Many patients who have developed relationships over the last four years with caregivers are going to lose their safe access to cannabis," he said. For example, a husband who is a caregiver for his wife — but also has a felony charge — will no longer be able to grow medical marijuana for her, he said.

One of the amendments approved by lawmakers has already gone into effect. Medical-marijuana users must now store their pot in a case in the trunk while riding in a motor vehicle. Marijuana must be in a case that's not easily accessible if the vehicle doesn't have a trunk.

Despite these changes, significant questions face the state's medical-marijuana system. The state Supreme Court ruled in January that so-called medical-marijuana dispensaries are not allowed under the 2008 law.

But last month Republican Rep. Mike Callton of Nashville introduced a bill to legalize the shops, which could mean more changes to the medical-marijuana law are on the way. That bill has not yet been debated by lawmakers.