



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

MEDICAL MARIHUANA LICENSING BOARD

RESOLUTION ON MARIJUANA PRODUCT ACCESS FOR PATIENTS

At a regularly scheduled meeting of the Medical Marihuana Licensing Board (Board), convened in Lansing, Michigan, the following resolution was adopted.

WHEREAS:

The Board is established within the Department of Licensing and Regulatory Affairs (Department) under the Medical Marihuana Facilities Licensing Act, 2016 PA 281 (Act), with the general responsibility to implement the Act; and

The Board's duties include granting or denying each application for a state operating license, providing for the levy and collection of fines for a violation of the Act or rules and providing oversight of marijuana facilities through the Board's inspectors, agents, and auditors for the purpose of conducting investigations into the operation of marijuana facilities as the Board considers necessary and proper to ensure compliance with the Act and rules and to protect the overall safety, security and integrity of the operation of marijuana facilities; and

The Board's powers include the authority to investigate alleged violations of the Act or rules, take appropriate disciplinary action against a licensee, and take disciplinary action as the Board considers appropriate to prevent practices that violate the Act or rules, and take any other reasonable or appropriate action to enforce the Act or rules; and

THEREFORE:

IT IS RESOLVED that the Board will not take disciplinary action against an applicant in the following circumstances:

- For an Applicant temporarily operating:
 - For the time period ending March 31, 2019:
 - The applicant temporarily operates a proposed marihuana facility that would otherwise require a license if either of the following apply:

- The applicant's proposed facility is within a municipality that adopted an ordinance before December 15, 2017 but is pending adoption of an ordinance under the Act, or
- The applicant's proposed facility is within a municipality that has adopted an ordinance before December 15, 2017.
- The applicant notifies the Department within 1 business day of becoming aware of any adverse reaction to a marijuana product sold or transferred, and
- For purposes of this resolution only, the applicant applied for a license no later than February 15, 2018.
- An applicant that does not comply with this resolution shall cease and desist operation and may be subject to penalties and sanctions, and
- An applicant that is temporarily operating is not guaranteed a license.

IT IS FURTHER RESOLVED that the Board will not take disciplinary action against a licensee for purchasing marijuana products from either a registered primary caregiver (caregiver) or an applicant temporarily operating, in the following circumstances:

- For a licensed Provisioning Center:
 - For the time period ending March 31, 2019:
 - The licensee obtains patient consent on a form provided by the Department prior to selling any marijuana products that have not been tested in full compliance with the law and administrative rules, and
 - The licensee enters all inventory into the statewide monitoring system immediately upon receipt from a caregiver, and
 - The licensee, before any sale or transfer, must verify, and confirm with government issued photo identification, with the statewide monitoring system that a patient or primary caregiver holds a valid registry identification card, and
 - The licensee enters all sales in the statewide monitoring system, and
 - The licensee determines sales will not exceed daily purchasing limits, and
 - The licensee shall notify the Department within 1 business day of becoming aware of any adverse reaction to a marijuana product sold or transferred.
- For a licensed Grower or Processor:
 - For the time period ending March 31, 2019:
 - The licensee obtains marijuana products from caregivers, and
 - The licensee enters all inventory into the statewide monitoring system immediately upon receipt, and
 - The licensee only transfers marijuana products that have been tested in full compliance with the law and administrative rules, and

- The licensee tags or packages all inventory that has been identified in the statewide monitoring system, and
- The licensee shall notify the Department within 1 business day of becoming aware of any adverse reaction to a marijuana product sold or transferred.

Rick Johnson
Rick Johnson, Chairperson
Medical Marihuana Licensing Board

1/16/2019
Date

