

MICHIGAN

MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



| Issue | Possible Points | | |
|--|-----------------|------------|--|
| PATIENT RIGHTS & CIVIL PROTECTION (total) | 100 | 82 | |
| Arrest protection | 40 | 40 | |
| Affirmative defense | 15 | 15 | |
| Child custody | 10 | 8 | |
| DUID protections | 5 | 4 | |
| Employment | 5 | 2 | |
| Explicit privacy standards..... | 7 | 7 | |
| Housing protections | 5 | 0 | |
| Does not create new criminal penalties for patients | 5 | 3 | |
| Organ transplants | 5 | 0 | |
| Reciprocity | 3 | 3 | |
| EASE OF NAVIGATION (total)..... | 100 | 88 | |
| Comprehensive qualifying conditions..... | 50 | 46 | |
| Adding new conditions (total)..... | 10 | 9 | |
| Law/Regs allow for new conditions | 5 | 5 | |
| System works for adding new conditions..... | 5 | 4 | |
| Reasonable access for minors..... | 10 | 8 | |
| Reasonable caregiver background check requirements.. | 4 | 4 | |
| Number of caregivers | 2 | 9 | |
| Patient/Practitioner focused task force/advisory Board .. | 2 | 3 | |
| Reasonable fees (patients & caregivers)..... | 10 | 2 | |
| Allows multiple-year registrations | 2 | 0 | |
| Reasonable physician requirements..... | 5 | 5 | |
| Does not classify cannabis as medicine of last resort..... | 5 | 2 | |
| ACCESS TO MEDICINE (total) | 100 | 68 | |
| Allows distribution programs (total)..... | 40 | 20 | |
| Allows access to dried flowers..... | 15 | 15 | |
| Allows delivery | 5 | 0 | |
| No sales tax or reasonable sales tax..... | 5 | 5 | |
| Reasonable number of dispensing facilities | 5 | 0 | |
| Does not require vertical integration | 2 | 0 | |
| Ownership/Employment restrictions | 2 | 0 | |
| Provisions for labor standards | 2 | 0 | |
| Environmental impact regulations | 2 | 0 | |
| Unrestricted choice of dispensary | 2 | 0 | |
| Non-commercial cultivation (total) | 20 | 15 | |
| Personal cultivation..... | 15 | 15 | |
| Collective gardens | 5 | 0 | |
| Explicit right to edibles/concentrates/other forms | 10 | 5 | |
| Does not impose limits or bans on THC | 10 | 10 | |
| Does not impose minimum CBD requirements..... | 10 | 10 | |
| Municipal bans/zoning | 10 | 8 | |
| FUNCTIONALITY (total)..... | 100 | 72 | |
| Patients are able to obtain medicine..... | 50 | 40 | |
| Free of significant administrative or supply problems.. | 15 | 12 | |
| Legal protections within reasonable time frame | 10 | 8 | |
| Reasonable possession limit (ounces) | 5 | 4 | |
| Reasonable purchase limits..... | 5 | 0 | |
| Allows patients to medicate where they chose | 5 | 4 | |
| Covered by insurance/state health aide | 3 | 0 | |
| Financial hardship (fee waivers/discount medicine)..... | 7 | 4 | |
| PRODUCT SAFETY (total - see back for details)..... | 100 | n/a | |
| Dispensing | 25 | n/a | |
| Cultivation | 25 | n/a | |
| Manufacturing | 25 | n/a | |
| Lab | 25 | n/a | |
| Improvement Bonus..... | | 0 | |
| Total out of 400..... | | 310 | |
| Score percentage | | 78 | |

Final Grade = D+*

Areas for improvement: Michigan remains one of the few states not to include a state regulated system of medical cannabis dispensaries. Fixing this deficiency is the most immediate and far reaching improvement that the state could make to improve its medical cannabis program for the state's patient population. In addition to adopting a state-regulated dispensary system, Michigan needs to add civil discrimination protections in the areas of housing, employment, and organ transplants.

Background: In 2008, Michigan voters passed the Michigan Medical Marihuana Act, which allows qualifying patients or their designated caregivers to cultivate up to 12 cannabis plants and possess up to 2.5 ounces of usable cannabis. Patients certified by their doctor and registered with the Department of Licensing and Regulatory Affairs are not subject to arrest or prosecution and are protected from civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau. There are currently no statewide regulations covering dispensaries; however, certain municipalities have passed ordinances that permit the businesses. The Michigan legislature failed to pass a dispensary bill in 2014.

PRODUCT SAFETY point breakdown

(Point totals by section included in grade calculation on reverse)

| Issue | Possible Points | | |
|---|-----------------|----------|------------|
| DISPENSING (total) | 25 | 0 | |
| Dispensary training | 5 | 0 | |
| Operating Procedures and Protocols | 5 | 0 | |
| Facility sanitary conditions | Y or N | N | |
| Storage protocols | Y or N | N | |
| Reasonable security protocols | Y or N | N | |
| Inventory control | Y or N | N | |
| Recall protocol and adverse event reporting | 5 | 0 | |
| Product Labeling | 5 | 0 | |
| Product contents including source material ID | Y or N | N | |
| Allergens | Y or N | N | |
| Potency/compound identification | Y or N | N | |
| Required Testing | 5 | 0 | |
| Active ingredient identification | Y or N | N | |
| Contaminants | Y or N | N | |
| Potency | Y or N | N | |
| Shelf life testing | Y or N | N | |
| Sample retention | Y or N | N | |
| Recall protocol and adverse event reporting: | 5 | 0 | |
| CULTIVATION (total) | 25 | 0 | |
| Cultivation training..... | 5 | 0 | |
| Standard Operating Procedures and Protocols | 5 | 0 | |
| Facility and equipment sanitary conditions .. | Y or N | N | |
| Workforce safety protocols | Y or N | N | |
| Storage protocols (short and long term) | Y or N | N | |
| Reasonable security protocols | Y or N | N | |
| Batch and lot tracking | Y or N | N | |
| Disposal/waste | Y or N | N | |
| Water management | Y or N | N | |
| Pesticide Guidance and Protocols | 5 | 0 | |
| Pesticide guidance..... | Y or N | N | |
| Product labeling | Y or N | N | |
| Required testing | 5 | 0 | |
| Active ingredient identification | Y or N | N | |
| Contaminants | Y or N | N | |
| Potency | Y or N | N | |
| Sample retention | Y or N | N | |
| Recall protocol and adverse event reporting..... | 5 | 0 | |
| MANUFACTURING (total) | 25 | 0 | |
| Manufacturing training | 5 | 0 | |
| Standard Operating Procedures and Protocols | 5 | 0 | |
| Facility and equipment sanitary conditions .. | Y or N | N | |
| Workforce safety protocols | Y or N | N | |
| Storage protocols | Y or N | N | |
| Reasonable security protocols | Y or N | N | |
| Batch and lot tracking | Y or N | N | |
| Product Labeling | 5 | 0 | |
| Product contents with source material ID | Y or N | N | |
| Allergens | Y or N | N | |
| Potency/compound identification | Y or N | N | |
| Required Testing | 5 | 0 | |
| Active ingredient identification | Y or N | N | |
| Contaminants | Y or N | N | |
| Potency | Y or N | N | |
| Shelf life testing | Y or N | N | |
| Sample retention | Y or N | N | |
| Recall protocol and adverse event reporting: | 5 | 0 | |
| LABORATORY (total) | 25 | 0 | |
| Lab operations training | 5 | 0 | |
| Method validation in accordance with AHP guidelines .. | 5 | 0 | |
| Result reporting - disclose the type of testing used..... | 5 | 0 | |
| Independent or third party certification | 5 | 0 | |
| Standard Operating Procedures and Protocols | 5 | 0 | |
| Equipment and Instrument Calibration | Y or N | N | |
| Sample tracking | Y or N | N | |
| Facility and equipment sanitary conditions .. | Y or N | N | |
| Disposal/waste protocols | Y or N | N | |
| Storage protocols | Y or N | N | |
| Workforce safety protocols | Y or N | N | |
| Total out of 100 | | | n/a |

Tools for Success:

Improving your state law has never been easier. In the appendix of this report you will find model legislation and regulators guides for product safety protocols. ASA staff are all also available to draft and/or review legislative and regulatory language. Our website has many resources online including access to our policy shop at http://www.safeaccessnow.org/policy_shop, information for regulators available at <http://patientfocusedcertification.org/about/information-for-regulators/> and a breakdown of all the state laws at http://www.safeaccessnow.org/state_and_federal_law.