

Medical Marihuana Law - Quick Facts

How much may be possessed?	
Qualifying Patient may possess: MCL 333.26424(a) <ul style="list-style-type: none"> • Not more than 2.5 ounces of usable marihuana, and • 12 marihuana plants kept in an enclosed, locked facility. 	Registration Primary Caregiver may possess: MCL 333.26424(b) <ul style="list-style-type: none"> • Not more than 2.5 ounces of usable marihuana for each qualifying patient, and • 12 marihuana plants kept in an enclosed, locked facility for each patient. • A caregiver may have up to 5 registered patients.
Enclosed, locked facility: Means a closet, room, or other enclosed area equipped with locks or other security devices that permit access only by a registered primary caregiver or registered qualifying patient. MCL 333.26423(c)	
Usable marihuana: Means the dried leaves and flowers of the marihuana plant, and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant. MCL 333.26423 (j)	

Arrest/Search and Seizure
A person shall not be subject to arrest, prosecution, or penalty in any manner ... for providing a registered qualifying patient or a registered primary caregiver with "marihuana paraphernalia." MCL 333.26424(g)
Any marihuana, marihuana paraphernalia, or licit property that is possessed, owned, or used in connection with the medical use of marihuana shall not be seized or forfeited. MCL 333.26424(h)
A person shall not be subject to arrest, prosecution, or penalty in any manner ... solely for being in the presence or vicinity of the medical use of marihuana in accordance with this act, or for assisting a registered qualifying patient with using or administering marihuana. MCL 333.26424(h)
Possession of, or application for, a registry identification card shall not constitute probable cause or reasonable suspicion to search or seize or otherwise subject the person or property to inspection. MCL 333.26426(g)

Out-of-State Cards
Michigan will recognize medical marihuana cards, or the equivalent, that are issued by other states, territories, etc. possessed by a visiting qualifying patient. MCL 333.26424(j)
A visiting qualifying patient means a patient who is not a resident of this state or who has been a resident of this state for less than 30 days. MCL 333.26423 (h)

Disclosure of Information
MDCH shall verify to law enforcement whether a registry identification card is valid, without disclosing more information than is reasonably necessary to verify the authenticity of the card. MCL 333.26426(h)(3)
A person, including an employee or official of MDCH or another state agency or local unit of government who discloses confidential information in violation of this act = 6 month misdemeanor. MCL 333.26426(h)(4)

Violations under the Act
Any registered qualifying patient or registered primary caregiver who sells marihuana to someone who is not allowed to use marihuana for medical purposes = 2 year felony and card revoked. MCL 333.26424(k)
This act shall not permit any person to do any of the following: MCL 333.26427 <ul style="list-style-type: none"> • Undertake any task under the influence of marihuana, when doing so would constitute negligence or professional malpractice. MCL 333.26427(b)(1) • Possess marihuana or engage in the medical use of marihuana: <ul style="list-style-type: none"> ▪ In a school bus; MCL 333.26427(b)(2)(A) ▪ On the grounds of any preschool or primary or secondary school; or MCL 333.26427(b)(2)(B) ▪ In any correctional facility. MCL 333.26427(b)(2)(C) • Smoke marihuana: <ul style="list-style-type: none"> ▪ On any form of public transportation; or MCL 333.26427(b)(3)(A) ▪ In any public place. MCL 333.26427(b)(3)(B) • Operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marihuana. MCL 333.26427(b)(4) • Use marihuana if that person does not have a serious or debilitating medical condition. MCL 333.26427(b)(5)
Fraudulent representation to a law enforcement official of any fact or circumstance relating to the medical use of marihuana to avoid arrest or prosecution = \$500.00 fine. MCL 333.26427(d)

Affirmative Defense
A patient or caregiver may assert the medical purpose for using marihuana as a defense to any prosecution involving marihuana. MCL 333.26428(a)
A physician has stated that the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana. MCL 333.26428(a)(1)
The patient or caregiver was in possession of a quantity of marihuana that was not more than was reasonably necessary to ensure the uninterrupted availability of marihuana for the purpose of treating or alleviating the patient's condition or symptoms. MCL 333.26428(a)(2)
The patient or caregiver had the marihuana or paraphernalia to treat medical condition or symptoms. MCL 333.26428(a)(3)

After 20 days of submission

If MDCH fails to issue a valid registry identification card in response to a valid application or renewal within 20 days of its submission, the registry identification card shall be deemed granted, and a copy of the registry identification application or renewal shall be deemed a valid registry identification card. MCL 333.26429(b)

All cards have the MDCH logo in the bottom left area of the card, front and back. The letters "MMP" appear vertically on the right side of the logo. The front of the card has a wavy line hologram laminate.

PATIENT CARD

There is a small square at the bottom right of the card with the letter "P" in white, on a navy blue background

The color of the bar across the top and the color behind the photo are navy blue and stretches across the entire top of the card

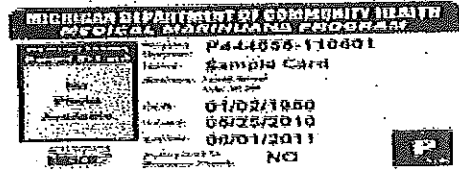
The individual bio information is printed in navy blue

Patient registry number is near the top, begins with the letter "P", and is 12 digits long (6 digits hyphen 6 digits)

The card will state "YES" or "NO", depending on whether or not the Patient is Authorized to Possess Plants

There is a box for a photo. **NO PHOTOS ARE AVAILABLE OR PRINTED ON THE CARDS** and there should NOT be a photo on the card. The box will state "No Photo Available".

If there is NO Caregiver designated, the back of the card will read "NO CAREGIVER"



MEDICAL MARIJUANA PROGRAM
PATIENT ID CARD
CAREGIVER INFORMATION
Registry Number: 0777888-444333
Name: Sample Card
Address: 1234 Main St
City: MI 48101
DOB: 02/03/1960
Issue: 05/25/2010
Expire: 08/01/2011
Authorized to Possess Plants: YES

CAREGIVER CARD

There is a small square at the bottom right of the card with the letter "C" in white, on a dark green background

The color of the bar across the top and the color behind the photo are dark green and stretches across the entire top of the card

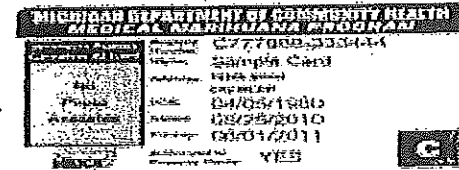
The individual bio information is printed in dark green

Caregiver registry number is near the top, begins with the letter "C", and is 12 digits long (6 digits hyphen 6 digits)

The card will state "YES" or "NO", depending on whether or not the Caregiver is Authorized to Possess Plants

There is a box for a photo. **NO PHOTOS ARE AVAILABLE OR PRINTED ON THE CARDS** and there should NOT be a photo on the card. The box will state "No Photo Available".

The back of the Caregiver Card will give related Patient information



MEDICAL MARIJUANA PROGRAM
CAREGIVER ID CARD
PATIENT INFORMATION
Registry Number: P333444-110801
Name: Sample Card
Address: 1234 Main St
City: MI 48101
DOB: 05/25/2010
Expire: 08/01/2011

MINOR PATIENT CARD

There is a small square at the bottom right of the card with the letter "M" in white, on an orange-y background

The color of the bar across the top and the color behind the photo are orange and stretches across the entire top of the card

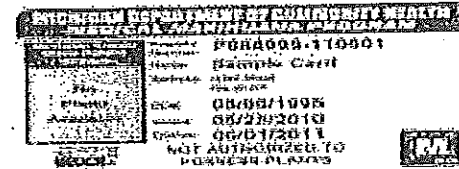
The individual bio information is printed in a brownish color

Minor Patient registry number is near the top, begins with the letter "P", and is 12 digits long (6 digits hyphen 6 digits)

The card will state "NOT AUTHORIZED TO POSSESS PLANTS" indicating the patient is NOT Authorized to Possess Plants

The back of the Minor Patient Card will ALWAYS have Caregiver information. This Caregiver will always be "Authorized to Possess Plants"

There is a box for a photo. **NO PHOTOS ARE AVAILABLE OR PRINTED ON THE CARDS** and there should NOT be a photo on the card. The box will state "No Photo Available"



MEDICAL MARIJUANA PROGRAM
PATIENT CAREGIVER INFORMATION
Registry Number: C999000-888999
Name: Sample Card
Address: 1234 Main St
City: MI 48101
DOB: 07/08/1975
Issue: 05/25/2010
Expire: 08/01/2011
AUTHORIZED TO POSSESS PLANTS

The backs of the cards are all in black print. The back of the Patient Card will give Caregiver information (if applicable). If there is an associated Patient, the card will designate if the Caregiver is Authorized to Possess Plants with a "Yes" or "No". There are other identifiers on the cards that are for Departmental use and can be used for verification of fraudulent cards. Verification of the validity of the card will have to be done using the Registry Number for the Patient or the Caregiver. Contact Celeste Clarkson, 517-373-4992, for further clarification. MDCH CANNOT verify by name or address.