

Below are the Frequently Asked Questions for the Michigan Medical Marijuana Registry Program. If you cannot find answers to your questions below, please contact our office at 517-373-0395, select option #5, and our staff will be happy to assist you. Office hours are 8:00am to 5:00pm (est) Monday through Friday. [www.michigan.gov/mmp](http://www.michigan.gov/mmp).

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## Definitions:

As used in the Michigan Medical Marijuana Act:

**“Bona fide physician-patient relationship”** means a treatment or counseling relationship between a physician and patient in which all of the following are present:

(1) The physician has reviewed the patient’s relevant medical records and completed a full assessment of the patient’s medical history and current medical condition, including a relevant, in-person, medical evaluation of the patient.

(2) The physician has created and maintained records of the patient’s condition in accord with medically accepted standards.

(3) The physician has a reasonable expectation that he or she will provide follow-up care to the patient to monitor the efficacy of the use of medical marijuana as a treatment of the patient’s debilitating medical condition.

(4) If the patient has given permission, the physician has notified the patient’s primary care physician of the patient’s debilitating medical condition and certification for the use of medical marijuana to treat that condition.

**“Debilitating medical condition”** means 1 or more of the following:

(1) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn’s disease, agitation of Alzheimer’s disease, nail patella, or the treatment of these conditions.

(2) A chronic or debilitating disease or medical condition or its treatment that produces 1 or more of the following:

cachexia or wasting syndrome; severe and chronic pain; severe nausea; seizures, including but not limited to those characteristic of epilepsy; or severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

(3) Any other medical condition or its treatment approved by the department, as provided for in section 6(k).

**“Department”** means the department of licensing and regulatory affairs.

**“Enclosed, locked facility”** means a closet, room, or other comparable, stationary, and fully enclosed area equipped with secured locks or other functioning security devices that permit access only by a registered primary caregiver or registered qualifying patient. Marijuana plants grown outdoors are considered to be in an enclosed, locked facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or a similar material that prevents access by the general public and that is anchored, attached, or affixed to the ground; located on land that is owned, leased, or rented by either the registered qualifying patient or a person designated through the departmental registration process as the primary caregiver for the registered qualifying patient or patients for whom the marijuana plants are grown; and equipped with functioning locks or other security devices that restrict access to only the registered qualifying patient or the registered primary caregiver who owns, leases, or

rents the property on which the structure is located. Enclosed, locked facility includes a motor vehicle if both of the following conditions are met:

- (1) The vehicle is being used temporarily to transport living marihuana plants from 1 location to another with the intent to permanently retain those plants at the second location.
- (2) An individual is not inside the vehicle unless he or she is either the registered qualifying patient to whom the living marihuana plants belong or the individual designated through the departmental registration process as the primary caregiver for the registered qualifying patient.

**“Marihuana”** means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.

**“Medical use”** means the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms associated with the debilitating medical condition.

**“Physician”** means an individual licensed as a physician under Part 170 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17084, or an osteopathic physician under Part 175 of the public health code, 1978 PA 368, MCL 333.17501 to 333.17556.

**“Primary caregiver”** or **“caregiver”** means a person who is at least 21 years old and who has agreed to assist with a patient’s medical use of marihuana and who has not been convicted of any felony within the past 10 years and has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

**“Qualifying patient”** or **“patient”** means a person who has been diagnosed by a physician as having a debilitating medical condition.

**“Registry identification card”** means a document issued by the department that identifies a person as a registered qualifying patient or registered primary caregiver.

**“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.

**“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.

**“Written certification”** means a document signed by a physician, stating all of the following:

- (1) The patient’s debilitating medical condition.
- (2) The physician has completed a full assessment of the patient’s medical history and current medical condition, including a relevant, in-person, medical evaluation.
- (3) In the physician’s professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient’s debilitating medical condition or symptoms associated with the debilitating medical condition.

## **General Questions:**

**Question: What changes did Public Act 460 create to the Michigan Medical Marihuana Act?**

**Answer:** Public Act 460 went into effective December 27, 2012. This amendment explains the transportation of usable marihuana in or upon a motor vehicle or any self-propelled vehicle designed for land travel. Click here to read [Public Act 460](#).

**Question: What changes does Public Act 512 create to the Michigan Medical Marihuana Act?**

**Answer:** Public Act 512 goes into effective April 1, 2013. This amendment defines a “Bona fide physician-patient relationship”, and further defines “Enclosed, locked facility,” “Primary caregiver,” and “Written certification.” Click here to go to read these [definitions](#).

Public Act 512 also expands Section 4 of the Michigan Medical Marihuana Act to provide for the privilege from arrest only if the qualifying patient or caregiver presents both his or her registry ID card and a valid driver license or government issued ID card. Click here to read [Public Act 512](#).

**Question: What changes does Public Act 514 create to the Michigan Medical Marihuana Act?**

**Answer:** Public Act 514 goes into effective April 1, 2013. This amendment:

- Requires proof of Michigan residency (copy of a valid state driver license, copy of a valid state ID, or copy of a valid state voter registration) with the patient’s application or renewal application.
- Defines the 15 day approval/denial time period as business days.
- Defines the 5 day registry ID card issuance as business days.
- Changes the expiration date of the registry ID card from 1 year after the date of issuance to 2 years after the date of issuance.
- Adds additional confidentiality regarding the applications and supporting information submitted by qualifying patients, including information regarding their primary caregivers and physicians.

Click here to read [Public Act 514](#).

**Question: Why is marihuana spelled with an "h", rather than a "j", in MMMA Initiated Law 1 of 2008 and the administrative rules?**

**Answer:** Marihuana is one of two acceptable spellings in the dictionary and is consistent with the spelling in the Michigan Public Health Code, Act 368 of 1978, and Initiated Law 1 of 2008.

**Question: How long does it take to receive a Medical Marihuana Program (MMP) registry ID card?**

**Answer:** If a patient does not receive a denial letter within 20 business days from the date the MMP receives an application, the registry ID card should be received within 60 days. Please allow a full 60 days before contacting the MMP if the card is not received.

**Question: Who can ingest medical marihuana?**

**Answer:** Under the Michigan Medical Marihuana Act (MMMA), only a person with a qualifying debilitating medical condition, who has obtained a valid MMP card, is exempt from criminal laws of the state for engaging in the medical use of marihuana as justified to mitigate the symptoms or effects of the person's debilitating medical condition.

**Question: My condition is not one of the approved debilitating conditions approved in the MMMA. How can I have my condition added?**

**Answer:** The department shall allow for petition by the public to include additional medical conditions and treatments. The department shall approve or deny such petitions within 180 days of the submission of the petition. Click here for the [Petition Page](#).

**Question: The qualifying patient or primary caregiver has passed away. How do I notify the MMP?**

**Answer:** The MMP must receive a copy of the death certificate and the deceased individual's registry ID card to inactivate a patient or caregiver's registration.

**Question: I have not received my new driver license yet. Can I mail my application with a copy of my expired license?**

**Answer:** All documents must be currently valid when received at the MMP.

**Question: What do I do if the address on my photo ID does not match the mailing address provided on the application?**

**Answer:** The MMP does not require the address on the photo ID to match the address included on the application, provided it is a correct address located in Michigan.

**Question: Can the MMP give me legal advice or interpret the MMMA?**

**Answer:** No. The MMP staff can only address what is in the Act and Rules, but cannot interpret the contents. If you have questions concerning compliance with the Michigan Medical Marihuana Act, you may seek legal counsel.

**Question: How are the laws and rules of the MMMA enforced?**

**Answer:** The MMP enforces the registration process making sure applications are complete before issuing a registry ID card, making incomplete or fraudulent applications null & void, and revoking cards if individuals commit violations of the MMMA. The MMP verifies the validity of a registration card of patients and caregivers with local and state law enforcement personnel if they call the MMP requesting such information. Local and state law enforcement personnel may take any action they believe is necessary to enforce the criminal laws of the state, including violations of the MMMA. Local and state law enforcement actions may vary. The MMP has no authority to direct the activities of local and state law enforcement agencies.

**Question: How can I open a dispensary?**

**Answer:** This is not addressed in the MMMA, therefore; the MMP is not authorized to provide information regarding this issue.

## **Applicant/Patient Questions:**

**Question: Do I have to be a resident of the state of Michigan to register as a qualifying patient with the MMP?**

**Answer:** Effective April 1, 2013, an applicant/patient must provide proof of Michigan residency with their application to be a qualifying patient. Proof of legal residency shall be considered a copy of a valid, lawfully obtained Michigan driver license, copy of a valid official Michigan personal identification card, or a copy of a valid Michigan voter registration.

**Question: How do I register as a medical marihuana patient with the State of Michigan's Registry Program?**

**Answer:** Applicants/qualifying patients must register with the Michigan Department of Licensing and Regulatory Affairs, Medical Marihuana Registry Program.

The applicant will need to visit a Doctor of Medicine (MD) or Doctor of Osteopathic Medicine and Surgery (DO) fully licensed in the state of Michigan. If the physician determines the patient to have one of the debilitating [medical conditions](#) approved in the MMMA, and completes and signs the Physician Certification, the patient can then complete the MMP Application Form for Registry ID Card (click here to obtain the [application form](#)).

**NOTE:** If the patient is less than 18 years of age they will need two (2) Physician Certifications completed and signed by two (2) separate physicians and submitted with their MINOR application (click here to obtain the [application for MINORS](#)).

**Question: Can I bring my application to the MMP office?**

**Answer:** No. The MMP does not have public access. The application must be mailed to:

Michigan Department of Licensing and Regulatory Affairs  
Medical Marihuana Registry  
PO Box 30083  
Lansing, MI 48909

**Question: How long does it take to receive a Medical Marihuana Program (MMP) registry ID card?**

**Answer:** If a patient does not receive a denial letter within 20 business days from the date the MMP receives an application, the registry ID card should be received within 60 days. Please allow a full 60 days before contacting the MMP if the card is not received.

**Question: What happens to my application once I mail it and what if I don't send in all the required parts of my application?**

**Answer:** The MMP has 15 business days to review your application to make sure it is complete. If you don't send in all the required parts of your application, it may be denied. The MMP sends the denial letter via certified mail, within 20 business days of our receipt of your application, explaining what to do next.

If your application is complete, your registry ID card will be issued and should be received within 60 days. Please allow a full 60 days before contacting the MMP if the card is not received.

**Question: I just sent my application/renewal application but I forgot to include something important (check, photo ID, physician certification). Can I send it in now?**

**Answer:** No. DO NOT SEND ANY DOCUMENTS SEPARATE FROM A FULL APPLICATION. If you forgot an item in your application or renewal application, we will review it within 15 business days and, if appropriate, send you a denial letter in 20 business days. To avoid confusion within our staffing department, please WAIT FOR YOUR DENIAL LETTER and follow the instructions to return all document(s) requested in the letter.

**Question: I just sent a change form but I forgot to include something important (check, photo ID, caregiver attestation). Can I send it in now?**

**Answer:** No. DO NOT SEND ANY DOCUMENTS SEPARATE FROM A FULL CHANGE FORM. If you forgot an item in your change form, we will review it in the date order received and, if appropriate, send you a Return Form. To avoid confusion within our staffing department, please WAIT FOR YOUR RETURN FORM and follow the instructions to return all document(s) requested in the letter.

**Question: What do I do between the time I sent my application to the MMP and when it is approved or denied?**

**Answer:** Once it has been 20 business days since the date the check or money order has been cashed, (if the patient has not received a certified letter of denial from the State) then in most cases, the patient (and if a caregiver was designated on the application) has been approved. Pursuant to the Michigan Medical Marihuana Act and Administrative Rules, the copy of the application is deemed a valid registration card until the card is received. The patient (and if a caregiver was designated on the application) should receive their registry ID cards within approximately 60 days.

Please be aware that not all law enforcement will accept a copy of the application and you may consider waiting until the registry ID card is received or seek legal counsel before you proceed to obtain medicinal marihuana.

**Question: I have not received my new driver license yet. Can I mail my application with a copy of my expired license?**

**Answer:** All documents must be currently valid when received at the MMP.

**Question: What do I do if the address on my photo ID does not match the mailing address provided on the application?**

**Answer:** The MMP does not require the address on the photo ID to match the address included on the application, provided it is a correct mailing address located in Michigan.

**Question: How do I know if my check or money order has been cashed by the MMP?**

**Answer:** The remitter should verify with either the financial institution or venue from where the money was drawn.

**Question: What do I do if my check or money order has not cashed?**

**Answer:** This means either the MMP did not receive the application and fee or it means it is taking longer than normal for your financial institution to withdraw the funds from your account. The MMP cannot verify if we have received your application unless you do not receive your registry ID card in 60 days.

**Question: If I see my check or money order has been cashed, does that mean I have been approved?**

**Answer:** No. As soon as the MMP receives an application or change form accompanied by a fee the warrant is directly deposited. The MMP has 15 business days to approve or deny an application and then, if the application was denied, 5 business days to send a denial letter.

**Question: I sent in a Change Form. How long does it take to receive a new registry ID card? And what do I do between the time I sent my Change Form and 20 business days?**

**Answer:** The MMMA does not address a mandated number of days the MMP has to review Change Forms. Therefore, the answer above regarding approved applications does not apply. The patient (and if a caregiver was designated on the Change Form) should receive their new registry ID cards within approximately 60-90 days.

**Question: I moved after I sent my application or renewal application. How can I make sure my registry ID card is sent to my new address?**

**Answer:** The MMP can only process the information on the application submitted. If a patient or caregiver has moved after the patient has sent an application, the person should either go online to [www.usps.com](http://www.usps.com) or go to their local post office and complete a change of address form. When the registry ID card is mailed from our department, the post office should then forward it to the new address.

The patient can also complete an MMP Change Form for the new address and submit it to our department with the required documents. Click here to obtain a [Change Form](#).

**Question: What can I send in as my photo identification?**

**Answer:** Pursuant the MMP Administrative Rules, a complete application must include one of the following as a form of identification:

- Current driver's license or identification card, with photo, issued by a state.
- Identification card with photo issued by a federal, state, or government agency.
- Current military identification card.
- Current passport.
- Current student identification card with photo.
- Native American tribal identification with photo.
- Permanent resident card or alien registration receipt card.

**Question: Why is my photo not on my registry ID card?**

**Answer:** The MMP is not inserting patient/caregiver photos on the registry ID cards at this time. Law enforcement is aware of this and shall consider any MMP registry ID card with a photo to be fraudulent.

**Question: If a physician signs my certification, why would I be denied and what will happen to my application?**

**Answer:** If an application is received by the MMP without all the documents required by the Michigan Medical Marihuana Act and Rules, filled out completely and correctly, an application may be denied.

If a denial letter is issued, it will be sent via certified mail to the patient's mailing address provided on the application. It will list the reason(s) the patient's application was denied. It will explain that if the patient wishes to reapply to the program they will need to resubmit a copy of the application, a copy of the denial letter, and the missing documents, information, and/or fee listed in the denial letter by a specific date.

Once the resubmitted application is received by the MMP, it will be reviewed within the mandated 15 business days to make sure it is complete. If the resubmission is not complete, it may be denied and a denial letter sent for the reapplication.

If the reapplication is complete, your registry ID card will be issued and should be received within 60 days. Please allow a full 60 days from when the valid reapplication was submitted before contacting the MMP if the card is not received.

**Question: Do I need to keep a copy of my application/change form and any other information I send to the MMP?**

**Answer:** Yes. When sending documents to the MMP, copies should always be retained by the sender.

**Question: Do I need to send my application through certified mail?**

**Answer:** If the patient would like to track the MMP's receipt of the application, they may choose to send it certified, but the MMP does not require applications to be mailed certified. If an application is mailed certified mail, the post office charges extra postage for this type of mailing beyond one (1) stamp.

**Question: Can I send my application through FedEx or UPS Next Day Air?**

**Answer:** No. FedEx and UPS will not deliver to the MMP's PO Box.

**Question: When will my registry ID card expire?**

**Answer:** Currently the Michigan Medical Marihuana Act states the registry ID cards shall expire 1 year after the date of issuance. Effective April 1, 2013, PA 514 states the registry ID cards shall expire 2 years after the date of issuance.

**Question: How do I renew my MMP registry ID card?**

**Answer:** The process is the same as when a patient initially applied to the MMP. Once the patient obtains an updated, completed, and signed Physician Certification, the patient can complete the MMP Application Form for Registry ID Card (click here to obtain the [application form](#)).

- A Physician Certification submitted with a patient's previous year's application cannot be submitted with another application.
- If a Minor is now over 18 years of age, the patient will renew by completing the Application Form for Registry ID Card.

**Question: Do I have to provide proof of my Michigan residency when I renew my registration?**

**Answer:** Effective April 1, 2013, patients must provide proof of Michigan residency with their application to be a qualifying patient. Proof of legal residency shall be considered a copy of a valid, lawfully obtained Michigan driver license, copy of a valid official Michigan personal identification card, or a copy of a valid Michigan voter registration.

**Question: Can I make changes on my renewal application or do I send a change form with my renewal?**

**Answer:** Any changes to the patient or caregiver's registration can be made on the renewal application. A change form should not be sent with the renewal application. A change form is only to be used for changes to a registration after an application or renewal has been submitted and before it is time to renew.

**Question: Do I have to notify my current caregiver if I change to a new one?**

**Answer:** When the MMP processes a change form to remove a caregiver, the caregiver will receive a notice that their registry ID card for that patient is no longer valid. Prior to receipt of the letter (which can take up to 60 days to receive) the responsibility falls on the patient to communicate with the caregiver to notify him or her that he or she is no longer protected under the law.

**Question: When do I renew my MMP registry ID card and will my expiration date change?**

**Answer:** The expiration date on a patient's registry ID card may change depending on what date the MMP receives a renewal application.

The Michigan Medical Marihuana Act states the department shall approve or deny an application or renewal within 15 business business days of receiving it.

Registry ID cards for renewal applications received **prior to** April 1, 2013, will expire on the first day of the month 1 year after the date of issuance.

Registry ID cards for renewal applications received **on or after** April 1, 2013, will expire on the first day of the month 2 years after the date of issuance.

**Therefore, cardholders are encouraged to send in renewals no sooner than 30 days prior to expiration.**

**Question: How do the Public Acts affect my renewal application?**

**Answer:** If the patient's renewal application is received by the MMP **prior to** April 1, 2013, the changes will not apply to that renewal application.

If the patient's renewal application is received by the MMP **on or after** April 1, 2013:

- The patient, and caregiver (if applicable), will need to submit **proof of Michigan residency** (copy of a valid state driver license, copy of a valid state ID, or copy of a valid state voter registration).
- The registry ID card(s) will be issued within 15 **business** days and will expire on the first day of the month **2 years** after the date of issuance.
  - Allow a full 60 days to receive the registry ID card in the mail.
- A person cannot be designated as a caregiver if they have been convicted of a **felony within the past 10 years**, have been convicted of a felony involving illegal drugs, or have a **felony that is an assaultive crime** as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

**Question: If my card is not going to expire for 2 years as of April 1, 2013, will the registration fee be more than \$25.00/\$100.00?**

**Answer:** At this time, there is no intention to raise the application registration or change form fees.

**Question: I am a registered patient/caregiver and I recently divorced/married/changed my name. What should I do?**

**Answer:** If it is time for the patient to renew their registration, documentation of the legal name change must be submitted with the patient's renewal application and all other required documents.

If it is in between the patient's renewal period, the patient should submit a change form with documentation of the legal name change and all other required documents. Click here to obtain a [Change Form](#).

**Question: Do I have to tell the MMP if I change my mailing address or change my designated primary caregiver?**

**Answer:** Yes. The MMP only accepts written changes regarding the patient and/or their designated caregiver (name, address, change of designated primary caregiver).

If it is time for the patient to renew their registration, all changes can be made on the renewal application. If it is more than 30 days before your card is due to expire, you will need to submit a change form. There is a \$10.00 fee for issuance of a new registry ID card. Your new card will reflect the changes you request. You will be protected from civil and criminal penalties for these changes once you receive your new registry ID card. Click here to obtain a [Change Form](#).

**Question: What happens to my application and health information once it is received at the MMP?**

**Answer:** All information received at the MMP is protected under the Michigan Medical Marihuana Act Initiated Law 1 of 2008 and Health Insurance Portability and Accountability Act of 1996 (HIPPA) and cannot be released without a court order or release from the patient and caregiver.

**Question: What medical conditions are eligible?**

**Answer:** Qualifying patients must suffer from a debilitating medical condition, defined in the Michigan Medical Marihuana Act as:

- Cancer
- Glaucoma
- Positive status for human immunodeficiency virus
- Acquired immune deficiency syndrome
- Hepatitis C
- Amyotrophic lateral sclerosis
- Crohn's disease
- Agitation of Alzheimer's disease
- Nail patella
- A chronic or debilitating disease or medical condition or its treatment that produces 1 or more of the following:
  - Cachexia or wasting syndrome
  - Severe and chronic pain
  - Severe nausea
  - Seizures, including but not limited to those characteristic of epilepsy
  - Or severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis
- Any other medical condition or its treatment approved by the department by rule
  - To date, the department has not added to the list by administrative rule.)

**Question: Do I have to include my medical records with my application?**

**Answer:** No. MMP staff does not make any medical assessments or evaluations. The signed and completed written physician certification is required to be submitted with your application.

**Question: How much is the fee for the initial application, renewal application, and change form?**

**Answer:** The initial application and renewal application fee is \$100.00. There is a reduced fee for patients, who submit the appropriate documents with their application or renewal application, and are enrolled in full Medicaid or receiving Supplemental Security Income. Click here for the [Reduced Fee Eligibility Information](#). The reduced fee is \$25.00.

The change form fee is \$10.00.

**Question: Is my fee to the state included in my fee to the physician?**

**Answer:** The physician fee is separate from the state of Michigan registration fee. You will need to check with your physician. The proper fee amount must be submitted with the patient's application to the MMP.

**Question: Is there a separate application fee for the caregiver?**

**Answer:** No. The fee for an application, renewal application, or change form remains the same regardless if there is a caregiver designated by the patient.

**Question: Do I still have to pay a fee if I already paid my physician?**

**Answer:** Yes. A physician's fee is separate and apart from the State of Michigan, Medical Marihuana Registry Program's application fee. A registration fee must accompany all applications that are submitted to the MMP.

**Question: Do I have to have a primary caregiver?**

**Answer:** If a qualifying patient is 18 years of age or older they are not required to designate a caregiver.

**Question: Is there an age limit to be a qualifying patient?**

**Answer:** Qualifying patients under 18 years of age must have the consent of their custodial parent or legal guardian responsible for medical decisions. There is a separate MINOR Patient Application for patients under 18 years of age to complete. Additionally, the parent or guardian must be the registered caregiver for the minor patient. And therefore, must qualify under the definition of a primary caregiver. Click here to review the [caregiver questions](#) for the eligibility of a caregiver.

**Question: I don't have the money for the registration fee. Is it a one-time payment? Can it be waived? Can I make installment payments?**

**Answer:** Full payment, by check or money order, must be made at the time of the initial application or renewal application. The fee must be made out to the "State of Michigan-MMMP." The fee cannot be waived, and the department cannot accept installment payments.

**Question: If I don't designate a caregiver, how much marihuana can I possess?**

**Answer:** A qualifying patient who has been issued and possesses a registry ID card may possess an amount of marihuana that does not exceed 2.5 ounces of usable marihuana and, if the qualifying patient has not specified that a primary caregiver will be allowed to cultivate marihuana for the qualifying patient, 12 marihuana plants kept in an enclosed, locked facility. Any incidental amount of seeds, stalks, and unusable roots shall also be allowed under state law and shall not be included in this amount.

**Question: Can I be a qualifying patient and a primary caregiver?**

**Answer:** Yes. A person can be a qualifying patient and be designated as a caregiver for five (5) patients, therefore; allowed to grow up to a maximum of 72 plants total (if designated by each of the patients to possess the plants).

**Question: Why do I need to see the physician and have them sign and date a "Physician Certification" form? Why can't I just provide my medical records?**

**Answer:** According to the Michigan Medical Marihuana Act (MMMA), the physician must state in writing the patient has a qualifying debilitating medical condition and that medical marihuana may mitigate the symptoms or effects of that condition. This, among other required information, is provided for the physician on the Physician Certification within the MMP application.

As of April 1, 2013, the physician must also state in writing they have completed a full assessment of the patient's medical history and current medical condition, including a relevant, in-person, medical evaluation. The Physician Certification has been updated with this information. Any certification signed as of April 1, 2013, must be signed on the new certifications or they will be denied.

The MMP may contact the physician during the application process to verify the validity of the certification.

**Question: Can the MMP refer me to a physician?**

**Answer:** No. The MMP is not authorized to provide this information. Any Doctor of Medicine (MD) or Doctor of Osteopathic Medicine and Surgery (DO) fully licensed in the state of Michigan can recommend a patient for the program if they choose to do so.

**Question: Why are only MDs (Medical Doctors) and DOs (Doctors of Osteopathic Medicine and Surgery) qualified to sign the "Physician Certification"? Why not chiropractors, physician's assistants or nurse practitioners? Does the physician have to be licensed in Michigan?**

**Answer:** The MMMA states that a "physician" means a Doctor of Medicine (MD) or Doctor of Osteopathic Medicine and Surgery (DO) licensed under Article 15, Parts 170 and 175 of the Michigan Public Health Code. MDs and DOs are the physicians licensed under these parts. The law also specifies that a physician must be licensed in Michigan. The MMP verifies with the Board of Medicine or Board of Osteopathic Medicine that each patient's attending physician has a valid license to practice medicine in Michigan and has no disqualifying restrictions.

**Question: Can I have someone else sign and date my application (a "proxy") if I am physically unable to do so?**

**Answer:** Yes, as long as the individual signing your application identifies him or herself as your proxy next to his or her signature on your application and has provided documentation showing guardianship with signatory authority or Durable Power of Attorney for Health Care along with your application.

**Question: Who has access to the patient registry list?**

**Answer:** The state maintains a confidential list of qualified patients and primary caregivers to whom the department has issued registry ID cards. Individual names and other identifying information on the list must be confidential and is not subject to disclosure, except to:

- (a) authorized employees of the department as necessary to perform official duties of the department; or
- (b) authorized employees of state or local law enforcement agencies, only as necessary to verify that a person is a lawful possessor of a registry ID card.

**Question: Is my confidentiality protected?**

**Answer:** Yes. The MMP does not give out lists of patients or caregivers. Law enforcement personnel may contact the MMP only to verify if a patient or caregiver registration card is valid. The MMP will tell law enforcement staff if the patient or caregiver is registered. The MMP will disclose patient information to others only at the specific written request of the patient. MMP computer files are secure and paper files are kept locked when not in use.

**Question: Can I contact the MMP to get information on my registration?**

**Answer:** Due to the confidentiality in the law, MMP staff can only speak with the patient regarding their registration or the caregiver regarding their registration. Staff will ask for confidential details to prove your identity and will be happy to assist you.

**Question: Can a patient withdraw from the program?**

**Answer:** Yes. A patient must submit a written statement that he or she wishes to withdraw from the MMP, along with a copy (front and back) of their valid photo ID, and their registry ID card. If the patient has a caregiver, it is helpful to return the caregiver registry ID card at this time also. It is the responsibility of the patient to notify his or her caregiver, if applicable, that his or her card is no longer valid.

When the department is notified by the patient that he or she would like to withdraw from the program, the department shall notify the primary caregiver by mail at the address of record informing the caregiver that his or her card is no longer valid and, if we did not already receive the caregiver registry ID card, they must return it to the department within fourteen (14) calendar days.

If the patient so chooses, he or she may reapply as a new patient at any time. In order to reapply a patient must submit the required documentation and application fee.

**Question: Do patients get a refund if they withdraw from the program?**

**Answer:** No refunds are issued.

**Question: Do I get a prescription from my doctor?**

**Answer:** The federal government classifies marihuana as a Schedule 1 drug, which means that licensed medical practitioners cannot prescribe it. Your physician must provide written certification of a debilitating medical condition approved in the MMMA and can only recommend the use of medical marihuana.

**Question: Where do I get the seeds or plants to start growing medical marihuana? How do I obtain medical marihuana?**

**Answer:** This is not addressed in the MMMA, therefore; the MMP is not authorized to provide information regarding this issue.

**Question: Why can't I go to a pharmacy to fill a prescription for medical marihuana?**

**Answer:** Pharmacies can only dispense medications "prescribed" by licensed physicians. The federal government classifies marihuana as a Schedule I drug, which means licensed physicians cannot prescribe it.

**Question: I am too ill to grow my own medical marihuana. What can I do?**

**Answer:** The MMMA provides for a system of designated caregivers. The caregiver can acquire 2.5 ounces of usable marihuana and grow up to 12 marihuana plants for a qualifying patient (if the patient designates the caregiver to possess the plants). A caregiver may receive reasonable compensation for services provided to assist with a qualifying patient's medical use of marihuana.

The MMP is not authorized to associate patients and caregivers nor release the names of registered caregivers.

**Question: How much is a caregiver allowed to be compensated?**

**Answer:** Section 4(e) of the MMMA states, "A registered primary caregiver may receive compensation for costs associated with assisting a registered qualifying patient in the medical use of marihuana. Any such compensation shall not constitute the sale of controlled substances."

The amount of compensation agreed upon is between the patient and the caregiver. The MMP is not authorized to intervene. If there is a disagreement you cannot resolve, you should seek legal counsel.

**Question: Will paraphernalia associated with my medical use be protected?**

**Answer:** Yes, in Section 4 of the MMMA, asserting medical use of "paraphernalia relating to the consumption of marihuana" is an affirmative defense.

**Question: Can law enforcement search me just for having a patient registry card?**

**Answer:** No, not under Michigan law. Possession of, or application for, a registry ID card does not alone constitute probable cause to search the person or property of the person possessing or applying for the registry ID card or otherwise subject the person or property to inspection by any governmental agency, including a law enforcement agency.

**Question: Can I use marihuana while on parole/probation if I have an MMP card?**

**Answer:** The authorities that are responsible for probation/parole/post-prison supervision can impose restrictions on possession and use of medical marihuana as a condition of supervision, even if a patient has a valid MMP card. Most offenders' supervision is subject to an "obey all laws" condition. Since marihuana possession and use is illegal under federal law, supervisory authorities can sanction an offender for possessing marihuana, even if he or she has an MMP card. Sanctions could result in arrest and return to jail. If you are on probation, parole, post-prison supervision, or other form of conditional supervision for conviction of a crime, you should consult with your parole or probation officer regarding whether your possession or use of marihuana may subject you to sanction for violation of the conditions of your supervision. The MMP will revoke the card of a cardholder if a court issues an order that prohibits the cardholder from participating in the medical use of marihuana or otherwise participating in the MMP.

**Question: Can I obtain a medical marihuana card if I have firearms?**

**Answer:** The Michigan Medical Marihuana Act does not address ownership or possession of a firearm. There may be other state and/or Federal statutes which address this issue. Michigan citizens are required to obey all state and Federal laws. Therefore, you should contact Michigan State Police regarding firearm regulations if applying for or continuing to maintain a medical marihuana registry ID card.

**Question: Will my medical insurance cover medical marihuana?**

**Answer:** The MMMA does not require a government medical assistance program or commercial or non-profit health insurer to reimburse a person for costs associated with the medical use of marihuana.

**Question: Can I use medical marihuana at work?**

**Answer:** This is up to the employer. Even if a patient is registered, an employer may still prohibit the patient from use of the medical marihuana in the workplace.

**Question: What should I tell my employer if I am subjected to a drug test?**

**Answer:** The MMMA states that employers are not required to accommodate employees who use medical marihuana. A patient may wish to consult an attorney about whether or not to tell the employer they are a patient in the MMP. A patient may contact the MMP in writing to ask the program to release information about the patient's registration to an employer.

**Question: If I live in a nursing home, assisted living facility, or a retirement home can I consume medical marihuana?**

**Answer:** Presuming the patient is registered with the MMP and carrying a registry ID card, the law does not specifically prohibit the use of medical marihuana in those settings. However, the facility or home may have prohibitions. Therefore, the patient must verify with the facility if using medical marihuana is permitted and under what circumstances or conditions.

**Question: Where can I consume medical marihuana?**

**Answer:** Presuming the patient registered with the MMP and carrying a registry ID card, the patient may consume medical marihuana on his or her property or elsewhere. However, the law does not permit any person to do any of the following:

- (1) Undertake any task under the influence of marihuana, when doing so would constitute negligence or professional malpractice.
- (2) Possess marihuana, or otherwise engage in the medical use of marihuana:
  - (A) in a school bus;
  - (B) on the grounds of any preschool or primary or secondary school; or
  - (C) in any correctional facility.
- (3) Smoke marihuana:
  - (A) on any form of public transportation; or
  - (B) in any public place.
- (4) Operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marihuana.
- (5) Use marihuana if that person does not have a serious or debilitating medical condition.

**Question: I live within 1000 feet of a school, AKA a "drug free zone". Can I still grow and/or possess my medical marihuana there?**

**Answer:** The MMMA does not address this issue. You may wish to contact an attorney about this issue.

**Question: Do I have to tell my landlord that I am a patient in the MMP? Can my landlord evict me if I am a patient in the MMP and have my grow site in my rental housing? Can I live in subsidized housing and be a patient in the MMP?**

**Answer:** It is up to the patient to decide whether or not to tell the landlord he or she is a patient in the MMP. Nothing in the MMMA specifically addresses whether or not he or she can be evicted because he or she is a patient in the MMP, even if he or she has only the amount of medical marihuana allowed by law. Nothing in the MMMA specifically addresses whether or not a person can be an MMP patient and live in subsidized housing. If you have questions about these important issues, you may wish to consult an attorney to learn about your rights and protections.

**Question: I am a valid medical marihuana patient under another state's law. Am I protected?**

**Answer:** Yes, under Section 4(j) of the MMMA, a registry identification card or its equivalent issued by another state government to permit the medical use of marihuana by a qualifying patient or to permit a person to assist with a qualify patient's medical use of marihuana has the same force and effect as a registry identification card issued by the department.

**Question: Is the MMMA recognized by other states? Can I travel to another state with medical marihuana and my MMP registry ID card and not be arrested or charged with civil or criminal penalties?**

**Answer:** Because medical marihuana programs vary by state, you may want to contact the state you are traveling to for information on their laws.

**Question: Can patients form growing cooperatives?**

**Answer:** The MMMA does not address this issue. Consult with your local law enforcement agency or seek legal counsel.

**Question: What if my registry ID card is lost, stolen, or damaged?**

**Answer:** If there are any changes that need to be made to your registration you will need to submit a change form. Otherwise, submit a signed statement attesting that your registry ID card has been lost, stolen, or damaged (whichever applies) and requesting a replacement card. Specify if this is your patient card. If this is your caregiver card(s), you must include the name(s) of the patient(s) for whom you need replacement card(s). Include a copy (front and back) of your valid photo identification, and \$10.00 (per card replacement) check or money order made payable to "State of Michigan-MMMP." Mail the statement, photo ID, and fee to:

Michigan Department of Licensing and Regulatory Affairs  
Medical Marihuana Registry  
PO Box 30083  
Lansing, MI 48909

## **Minor Applicant/Patient Questions:**

**Question: I am under 18 years of age OR my child is under 18 years of age. How do I register (him/her) as a medical marihuana patient with the State of Michigan's Registry Program?**

**Answer:** MINOR Applicants/Qualifying patients must register with the Michigan Department of Licensing and Regulatory Affairs, Medical Marihuana Registry Program.

The parent or legal/guardian and minor applicant will need to visit TWO physicians, Doctor of Medicine (MD) or Doctor of Osteopathic Medicine and Surgery (DO) fully licensed in the state of Michigan. If the physicians determine the minor patient to have one of the debilitating [medical conditions](#) approved in the MMMA, and completes and signs the Physician Certification, the minor patient and/or the parent/legal guardian can then complete the MINOR Application Form for Registry ID Card (click here to obtain the [application form](#)).

**Question: What happens when I turn 18 years of age?**

**Answer:** If it is within 60 days of the patient's registry ID card's expiration, the patient can complete an adult application. \*\*The patient **MUST** be 18 years of age or older when he/she signs the adult application.\*\*

If it is more than 60 days before the patient's registry ID card will expire, the patient has two (2) choices:

1. Continue to use your current registry ID card until it is time to renew your registration, then complete an adult application
  - Even though you have turned 18 years of age, you must retain your parent/legal guardian as your primary caregiver.

OR

2. Withdraw your MINOR registration and reapply with an adult application and fee.
  - A patient who is 18 years of age or older can designate a caregiver, but it is not required.

**Question: Who can possess the minor's marihuana plants?**

**Answer:** Only the custodial parent or legal guardian listed on the application is allowed to possess the marihuana plants for a minor patient.

**Question: As a custodial parent/legal guardian, what are my responsibilities?**

**Answer:** The MMP recommends that a minor patient's custodial parent or legal guardian who is submitting an application for a minor applicant review the Michigan Medical Marihuana Act, Rules, and amendments available at [www.michigan.gov](http://www.michigan.gov). Highlights of the MMMA 333.26426(b) and PA512 are as follows:

- The minor patient's two (2) physicians have explained the potential risks and benefits of the medical use of marihuana to both the minor patient and yourself.
- You have submitted a written certification from two (2) separate physicians with the MINOR application.
- On or after April 1, 2013, the two (2) physicians, who have signed the written certifications, have a bona fide physician-patient relationship with the minor patient, as defined in the MMMA.
- You consent in writing to allow the minor patient's medical use of marihuana and to serve as the minor patient's primary caregiver and to control the acquisition of the marihuana, the dosage, and the frequency of the medical use of marihuana by the minor patient.
- As a primary caregiver, you attest that you have never been convicted of ANY felony offense involving illegal drugs.
- On or after April 1, 2013, as a primary caregiver, you attest that you have not been convicted of ANY felony offense within the past 10 years or convicted of ANY felony offense that is an assaultive crime, as defined in Section 9a of Chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

- You understand that both the minor patient and your caregiver registrations will become null and void if you are convicted of a felony offense.

## **Caregiver Questions:**

### **Question: How do I know if I am eligible to be a caregiver?**

**Answer:** The MMMA defines a "Primary Caregiver" as a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marijuana and who has never been convicted of a felony involving illegal drugs.

Effective April 1, 2013, in addition to the above, any person designated as a caregiver must meet the following criteria:

A person who has not been convicted of any felony within the past 10 years or a felony that is an assaultive crime (listed below) or as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

A person cannot be designated as a caregiver if they have been convicted of any felony within the past 10 years, have been convicted of a felony involving illegal drugs, or have a felony that is an assaultive crime as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a

- Threats/assault against employee of Family Independence Agency
- Assault with intent to do great bodily harm less than murder; assault by strangulation or suffocation
- Leading, taking, carrying away, decoying, or enticing away child under 14
- Kidnapping/Prisoner taking person as hostage
- Assault with intent to rob and steal; armed or unarmed
- Larceny of money or other property
- Stalking or aggravated stalking
- Assault with intent to commit felony not otherwise punished
- Terrorism; Violation of the Michigan Anti-Terrorism Act
- Use or possession of dangerous weapon
- Felonious Assault
- Assault with intent to maim
- Attempted murder, 1<sup>st</sup> degree murder, or 2<sup>nd</sup> degree murder
- Assault with intent to commit murder
- Assault with intent to commit CSC, or CSC 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, or 4<sup>th</sup> degree
- Felonious Use of Explosives
- Manslaughter
- Mayhem
- Carjacking
- Conduct proscribed under MCL750.81 to 750.89 as felony; intent to commit conduct against a pregnant individual in order to cause or which leads to a miscarriage or stillbirth, or other harm to the embryo or fetus

### **Question: What other changes in the amendments will affect caregivers?**

**Answer:** Public Act 460 went into effective December 27, 2012. This amendment explains the transportation of usable marihuana in or upon a motor vehicle or any self-propelled vehicle designed for land travel. Click here to read [Public Act 460](#).

Public Act 512 goes into effective April 1, 2013. This amendment further defines “Enclosed, locked facility.” Public Act 512 also expands Section 4 of the Michigan Medical Marihuana Act to provide for the privilege from arrest only if the qualifying patient or caregiver presents both his or her registry ID card and a valid driver license or government issued ID card. Click here to read [Public Act 512](#).

Public Act 514 goes into effective April 1, 2013. This amendment requires proof of Michigan residency (copy of a valid state driver license, copy of a valid state ID, or copy of a valid state voter registration) with the patient’s application or renewal application. Click here to read [Public Act 514](#).

**Question: What if I have just been charged with a felony, but not convicted yet?**

**Answer:** It is the responsibility of the caregiver to prove they are eligible at the time the MMP receives a patient’s application. If a background check reveals the caregiver has a pending felony case, they will be deemed ineligible and required to provide “true” or “certified” proof of the current status or disposition of the case. **The caregiver will be deemed ineligible and required to provide updated proof each time they are designated by a patient while the case remains “pending” within the caregiver’s background record.**

**Question: How do I become a caregiver?**

**Answer:** The Michigan Medical Marihuana Registry application is for a qualifying patient who has a debilitating condition specified in the Medical Marihuana Act. A qualifying patient can designate a primary caregiver on their application to help administer and/or grow the marihuana plants.

Therefore, an individual must first find a qualifying patient who would like help to either administer and/or grow the marihuana plants for them. (Please note: Our program is confidential and we are not authorized to provide the names of registered qualifying patients.) The individual will then complete a Caregiver Attestation and give the Attestation, along with a copy (front and back) of his/her valid photo ID (and voter registration, if necessary) to be submitted with the patient’s application or renewal application.

If the qualifying patient has already submitted an application or renewal application, the patient would submit a change form (with the above documents) to add the primary caregiver.

**Question: I have not received my new driver license yet. Can I provide a copy of my expired license to my patient?**

**Answer:** All documents must be currently valid when received at the MMP.

**Question: What do I do if the address on my photo ID does not match the mailing address provided on the application?**

**Answer:** The MMP does not require the address on the photo ID to match the address included on the application, provided it is a correct mailing address located in Michigan.

**Question: Do I have to be a resident in the state of Michigan?**

**Answer:** Effective April 1, 2013, anyone registering with the MMP must provide proof of Michigan residency. Proof of legal residency shall be considered a copy of a valid, lawfully obtained Michigan driver license, copy of a valid official Michigan personal identification card, or a copy of a valid Michigan voter registration. A caregiver will provide this to the patient that is designating them on their application or change form.

**Question: Is there a separate application fee for the caregiver?**

**Answer:** No. The fee for an application, renewal application, or change form remains the same regardless if there is a caregiver designated by the patient.

**Question: How much marihuana can I possess as a caregiver?**

**Answer:** A primary caregiver who has been issued and possesses a registry ID card may possess an amount of marihuana that does not exceed 2.5 ounces of usable marihuana for each qualifying patient to whom he or she is designated by the patient; and for each registered qualifying patient who has specified that the primary caregiver will be allowed to possess his or her marihuana plants, 12 marihuana plants kept in an enclosed, locked facility; and any incidental amount of seeds, stalks, and unusable roots.

**Question: How many patients can I grow/cultivate for as a caregiver?**

**Answer:** A primary caregiver is allowed up to five (5) patients at any time with a limit of 12 plants per patient.

**Question: Can I be a qualifying patient and a primary caregiver?**

**Answer:** Yes. A person can be a qualifying patient and be designated as a caregiver for five (5) patients, therefore; allowed to grow up to a maximum of 72 plants total (if designated by each of the patients to possess the plants).

**Question: Can I charge my patients for the marihuana and the medicinal assistance I am providing them?**

**Answer:** Section 4(e) of the MMMA states, "A registered primary caregiver may receive compensation for costs associated with assisting a registered qualifying patient in the medical use of marihuana. Any such compensation shall not constitute the sale of controlled substances."

The amount of compensation agreed upon is between the patient and the caregiver. The MMP is not authorized to intervene. If there is a disagreement you cannot resolve, you should seek legal counsel.

**Question: Will I receive a registry card for each qualifying patient that designates me as their caregiver?**

**Answer:** Yes. A caregiver will receive a separate registry ID card for each qualifying patient who designates them, provided they are eligible and approved as a primary caregiver.

**Question: When will my registry ID card expire for my patients?**

**Answer:** The caregiver's registry ID card will expire on the same day as each of his/her patient's registry ID card(s).

**Question: Does my patient(s) have to notify me if they change to a new caregiver?**

**Answer:** When the MMP processes a change form to remove a caregiver, the caregiver will receive a notice that their registry ID card for that patient is no longer valid. Prior to receipt of the letter (which can take up to 60 days to receive) the responsibility falls on the patient to communicate with the caregiver to notify him or her that he or she is no longer protected under the law.

**Question: Why is my photo not on my registry ID card?**

**Answer:** The MMP is not inserting patient/caregiver photos on the registry ID cards at this time. Law enforcement is aware of this and shall consider any MMP registry ID card with a photo to be fraudulent.

**Question: What if my registry ID card is lost, stolen, or damaged?**

**Answer:** If there are any changes that need to be made to your registration you will need to submit a change form. Otherwise, submit a signed statement attesting that your registry ID card has been lost, stolen, or damaged (whichever applies) and requesting a replacement card. Specify if this is your patient card. If this is your caregiver card(s), you must include the name(s) of the patient(s) for whom you need replacement card(s). Include a copy (front and back) of your valid photo identification, and \$10.00 (per card replacement) check or money order made payable to "State of Michigan-MMMP." Mail the statement, photo ID, and fee to:

Michigan Department of Licensing and Regulatory Affairs  
Medical Marihuana Registry  
PO Box 30083  
Lansing, MI 48909

**Question: If a qualifying patient designates me as their caregiver and I am approved, can I use marihuana?**

**Answer:** Not as a designated caregiver. You would have to be registered as a patient to qualify to use medicinal marihuana.

**Question: Can I contact the MMP to get information on my registration?**

**Answer:** Due to the confidentiality in the law, MMP staff can only speak with the patient regarding that patient's registration or the caregiver regarding that caregiver's registration. Staff will ask for confidential details to prove your identity and will be happy to assist you.

## **Physicians Questions:**

**Question: Do I qualify to sign the medical marihuana physician certification for my patient?**

**Answer:** Only a Medical Doctor (MD) or Doctor of Osteopathic Medicine and Surgery (DO), fully licensed in the state of Michigan, can complete and sign the physician certification for a qualifying patient.

**Question: What changes, created by Public Act 512, affect physicians who complete the medical marihuana physician certification?**

**Answer:** Public Act 512 goes into effective April 1, 2013. This amendment defines a "Bona fide physician-patient relationship" for the physician.

"**Bona fide physician-patient relationship**" means a treatment or counseling relationship between a physician and patient in which all of the following are present:

(1) The physician has reviewed the patient's relevant medical records and completed a full assessment of the patient's medical history and current medical condition, including a relevant, in-person, medical evaluation of the patient.

(2) The physician has created and maintained records of the patient's condition in accord with medically accepted standards.

(3) The physician has a reasonable expectation that he or she will provide follow-up care to the patient to monitor the efficacy of the use of medical marihuana as a treatment of the patient's debilitating medical condition.

(4) If the patient has given permission, the physician has notified the patient's primary care physician of the patient's debilitating medical condition and certification for the use of medical marihuana to treat that condition.

Click here to read [Public Act 512](#).

**Question: Do the changes created by Public Act 512 mean the physician certification has been changed?**

**Answer:** Yes. The MMP has incorporated all changes created by Public Acts 512 and 514 to the medical marihuana application including the physician certification. Effective April 1, 2013, any certification must be **completed and signed** by a Medical Doctor or Doctor of Osteopathic Medicine and Surgery, who is fully licensed in the state of Michigan, on the **new physician certification**.

**Question: What protection do I have under the law if I discuss medical marihuana or complete the physician certification for a patient?**

**Answer:** Under Michigan state law, a physician may not be arrested, prosecuted or penalized in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by the Board of Medicine or Board of Osteopathic Medicine.

**Question: Can I rescind a physician certification that I already completed for a patient?**

**Answer:** Pursuant to the Michigan Medical Marihuana Act, Section 6(f), a certifying physician may notify the department in writing if a patient has ceased to suffer from a debilitating medical condition.

**Question: I completed and signed the physician certification, but my patient says they received a denial letter due to the physician certification being incomplete. What does this mean?**

**Answer:** The physician certification must be correctly and legibly completed by the physician. If the MMP staff determines any fields on the certification to be insufficient or cannot reasonably determine an entry (name, address, date, condition), the patient's application may be denied. If the patient wishes to reapply, they will be required to have the physician correctly and legibly complete a NEW physician certification to submit with their reapplication. Click here to see more [Common Denial Reasons](#).

## Common Denial Reasons:

If all the required parts of an application are not received, it may be denied. The MMP sends the denial letters via certified mail within 20 business days of our receipt of an application.

Applications are commonly **denied** for the following reasons:

1. The physician certification is either missing the qualifying patient's information, had the incorrect information, or was not completed by the physician.

2. The physician certification is either missing the physician's information or had the incorrect information.
3. The physician certification is dated more than 1 year from the date the MMP received the certification with an application.
  - Applications received April 1, 2013-physician certifications must be dated within 2 years from the date the MMP receives the certification with an application.
4. The physician that signed the certification is not a Medical Doctor (MD) or Doctor of Osteopathic Medicine and Surgery (DO) and/or who is currently fully licensed by the state of Michigan.
5. The physician certification does not have an approved debilitating medical condition indicated by the physician.
6. The physician certification is not received with the application.
  - If you are denied for a physician certification (**#1-6 above**) you will need to have a physician complete a NEW certification to submit with your reapplication.
7. The application is received with a \$25.00 reduced fee, but the patient:
  - A. did **not send any documents** verifying the patient is **currently** (within the 2 years immediately preceding the date the application is received)
    - i. enrolled in Full Medicaid, **or**
    - ii. receiving Supplemental Security Income
  - B. did **not send the correct documents** verifying the **type of benefits** she/he is receiving from Social Security Administration (type=Supplemental Security Income).
  - C. did **not send** documents **verifying** s/he is receiving **Full Medicaid**.
  - D. sent documents stating s/he is receiving retirement benefits (does not qualify).
    - Click here for the [Reduced Fee Eligibility Information](#).
8. The application is received with a fee amount other than \$25.00 or \$100.00. Please note these are the only two (2) valid amounts of the registration fees.
  - Take care to only submit one (1) fee with one (1) application in one (1) envelope to avoid any mix-ups with fees being applied to the wrong application.
9. The caregiver attestation and caregiver photo ID is not received with the application.
10. The caregiver attestation and caregiver photo ID is not the same caregiver listed in Section B on the application.
  - A patient is only allowed one (1) caregiver at a time. Do not send information for more than one (1) caregiver per application or change form.
11. The caregiver attestation was either not signed by the caregiver or does not appear to be the caregiver's signature.
12. The application submitted did not include a registration fee.
  - Please note that if the patient subsequently sent another copy of the application with the fee, the denial letter will still be sent for the application that did not include the fee.
13. There was not a photo ID sent for either the patient or the caregiver or both.
14. Applications received as of April 1, 2013 must include proof of residency. If a Michigan driver license, Michigan ID is not submitted as a photo ID, then another photo ID and Michigan voter registration card is required.
15. Section A: "Applicant/Patient Information" does not have all fields complete.
16. Section B: "Primary Caregiver" does not have all fields complete.

17. Section C: "Person Allowed to Possess Patient's Marihuana Plants" has either both boxes or neither box checked. Only one (1) box is allowed to be checked.
18. Section D: "Signature and Date" was either not signed by the patient or does not appear to be the patient's signature.
  - If the patient is unable to sign the application, documentation is required for a legal guardian with signatory rights or a Durable Power of Attorney for Health Care to be submitted with the application.

***The FAQ's provided herein are intended to provide general information only and to reflect the current status of the Michigan Medical Marihuana Act Initiated Law 1 of 2008, Public Acts 512, 514, and 460. These FAQ's should not be construed as a legal opinion or as legal advice. Interested individuals are encouraged to seek legal counsel in interpreting the Michigan Medical Marihuana Act and any related judicial determinations.***