

Michael Komom, *President*



Joe Cain, *Chief Executive*

Medical Marijuana Patient Bill of Rights

All Registered and Unregistered patients and caregivers shall possess the following rights, without limitation:

1. There shall be a presumption that registered and unregistered patients and their caregivers are in compliance with the MMMA.
2. The right to be treated reasonably, with dignity and respect, by law enforcement and the government, and by the medical community and private business in general. "Reasonable" should be based in part upon the best available medicine and science, and not upon emotion or politics.
3. The right to be protected against arrest, prosecution, or any penalty.
4. The right to be free from searches, seizures, and forfeiture.
5. The right to equal protection under the law.
6. The right to privacy, of any and all information related to patient or caregiver status.
7. The right to the best medical care and to the best medication in the proper delivery form, to treat their condition, disease, or debilitation.
8. The right to safe, immediate access to a continuous supply of medication to treat their condition, disease, or debilitation, and the right to a choice of where to obtain that medication.
9. The right to equal employment.
10. The right to equal and fair housing.
11. The right to be protected from denial of custody or visitation of a child.
12. The right to speak, the right to remain silent, and the right to counsel.
13. The right to civil remedies and punitive damages against those who violate any of these rights.
14. The right to prosecute those who violate the protections of the MMMA.

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15. The right to protection under the Victim rights Act of Michigan.
16. The right to assert medical reasons for using marijuana as a defense to any prosecution involving marijuana for registered and unregistered patients and primary caregivers.

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PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

Amend to read (protections for medical use)

333.7403 Knowingly or intentionally possessing controlled substance, controlled substance analogue, or prescription form; violations; *protections for medical use*; penalties; discharge from lifetime probation.

Sec. 7403.

(1) A person shall not knowingly or intentionally possess a controlled substance, a controlled substance analogue, or a prescription form unless the controlled substance, controlled substance analogue, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, *or for the purposes of medical use* or except as otherwise authorized by this article.

(2) A person who violates this section as to:

(d) Marijuana is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00, or both.

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**PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978**

Amend to read (protections for medical use)

333.7401 Manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver controlled substance, prescription form, or counterfeit prescription form; dispensing, prescribing, or administering controlled substance; ***protections for medical use***; violations; penalties; consecutive terms; discharge from lifetime probation; “plant” defined.
Sec. 7401.

(1) Except as authorized by this article, a person shall not manufacture, create, deliver, or possess with intent to manufacture, create, or deliver a controlled substance, a prescription form, or a counterfeit prescription form, ***unless it is for medical use***. A practitioner licensed by the administrator under this article shall not dispense, prescribe, or administer a controlled substance for other than legitimate and professionally recognized therapeutic or scientific purposes or outside the scope of practice of the practitioner, licensee, or applicant, ***unless it is for medical use***.

(2) A person who violates this section as to:

for not more than 4 years or a fine of not more than \$2,000.00, or both.

(d) Marihuana or a mixture containing marihuana is guilty of a felony punishable as follows:

(i) If the amount is 45 kilograms or more, or 200 plants or more, by imprisonment for not more than 15 years or a fine of not more than \$10,000,000.00, or both.

(ii) If the amount is 5 kilograms or more but less than 45 kilograms, or 20 plants or more but fewer than 200 plants, by imprisonment for not more than 7 years or a fine of not more than \$500,000.00, or both.

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(iii) If the amount is less than 5 kilograms or fewer than 20 plants, by imprisonment for not more than 4 years or a fine of not more than \$20,000.00, or both.