

CPU Analysis of House Judiciary Committee Revised Medical Marihuana Bills
March 29, 2012

Cannabis Patients United(CPU) would like to submit for consideration our initial views on the updated language submitted to the Judiciary Committee pertaining to House Bills 4834, 4851 and 4856. We are hoping these updated bills will serve as the new platform from which we can work together to further our agreements and develop more suitable language for full committee consideration and final approval.

Addressing House Bill 4834, the addition of a caregiver to the photo identification requirements resolves an oversight in the previous language and appears to be suitable in its current form.

The most difficult issue we have struggled with in this bill is the access to the confidential information in the departments registry. CPU believes the addition of probable cause raises the standard from reasonable suspicion, but still falls short of an acceptable level. CPU continues to support the current requirement in the law requiring a search warrant to access confidential information contained in the registry beyond simply verifying registration identification numbers.

The Michigan Medical Marihuana Act was passed for two indomitable reasons. First, to allow sick and disabled patients access to medical marihuana, and then most importantly, to protect those patients from Law Enforcement, Court proceedings and to ensure the confidentiality of participation in the program. CPU believes some of these base principles are being intruded upon and some adjustments still need to be adopted. For example, CPU believes there has been an over expansion of eligible persons allowed to access data within the registry. There should be a more prudent list of qualified personnel allowed to access such confidential information.

Also, within HB 4834 is the language addressing the addition of new qualifying conditions. The proper handling of these additions to the list of qualifying conditions is a topic that has well addressed and CPU is generally comfortable with the requirements brought forth in this new language. CPU hopes the implementation of the Panel is more successful than the previous attempts of implementing this requirement of the Act.

Addressing House Bill 4851, the new language pertaining to the "Bona-Fide Physician Patient Relationship" has resolved several of the outstanding issues which had arisen and we believe the language to be generally acceptable in its updated form. CPU would still prefer to see this addressed in the Public Health Code, but actual content issues seem to have been resolved. CPU appreciates the extensive efforts of the authors to develop and amend the language.

The issue of transportation of plants within a vehicle appears to be needed language and hopefully this will give some clarity to law enforcement and patients alike for safe transportation.

Addressing House Bill 4856, the updated revisions to transporting "Usable Marihuana" have created some unattainable restrictions that need to be addressed and amended. These new provisions have removed the ability to have usable medicine within an enclosed case. This will make traveling in a city bus, taxi, ATV, motorcycle, bicycle and several other examples impossible or unreasonable under the revised requirements. This language needs to be returned to its previous form of allowing a passenger to simply have their medicine within an enclosed case when riding in or on a vehicle. Patient privacy is also an issue arising from these requirements. Patients should not have to disclose their possession of medical marijuana to complete strangers as these requirements would cause many patients to do. I hope we can come to a better agreement on this revised language.

In closing, CPU appreciates the efforts of all participants within the task force and believes we can quickly and judiciously address these final issues contained in the revised bills. We know that sensible, logical and proper adjustments can be made with minimal effort to achieve these purposes.

Cannabis Patients United Board of Directors
Dave Brogren - President