Caregiver Responsibilities Include Knowing The Law

R 333.103 New registration application; qualifying patient & primary caregiver.

Rule 3. A qualifying patient applying for a registry identification card shall comply with all of the following:

(a) Submit a completed application on a form provided by the department, together with the requisite fee. The completed application shall include all of the following:

(i) Name, address, and date of birth of the qualifying patient. The address for the qualifying patient shall be a physical address located in this state. A qualifying patient who is homeless shall not be required to provide a physical address.

(ii) Name, address, and telephone number of the qualifying patient’s physician.

(iii) The name, address, and date of birth of the patient’s primary caregiver, if applicable. A qualifying patient may designate 1 primary caregiver to assist with his or her medical use of marihuana.

(iv) A designation of whether the qualifying patient or the patient’s primary caregiver, if applicable, will be allowed to possess marihuana plants for the qualifying patient’s medical use.

(v) An attestation by the primary caregiver named on the application that he or she agrees to serve as the patient’s primary caregiver.

(vi) A primary caregiver shall authorize the department to use the information provided on the application to secure his or her criminal conviction history to determine if he or she has a felony conviction involving illegal drugs.

(b) Submit photographic identification of both the qualifying patient and the patient’s primary caregiver, if applicable. If the qualifying patient is under the age of 18, and does not have photographic identification, no photographic identification is required. Photocopies of the following shall be considered acceptable forms of identification:

(i) Current driver’s license or identification card, with photo, issued by a state.

(ii) Identification card with photo issued by a federal, state, or government agency.

(iii) Current military identification card.

(iv) Current passport.

(v) Current student identification card with photo.

(vi) Native American tribal identification with photo.

(vii) Permanent resident card or alien registration receipt card.

(c) Submit a written certification, as defined in R 333.101(22), signed by a licensed physician. If the qualifying patient is under the age of 18, written certifications from 2 physicians are required.

(d) If the qualifying patient is under the age of 18, submit a declaration of person responsible form.

R 333.105 Declaration of person responsible form.

Rule 5. A declaration of person responsible form is required for any qualifying patient who is under the age of 18. The form shall include all of the following:

(a) A statement that the qualifying patient’s physician has explained to the patient and the patient’s parent or legal guardian the potential risks and benefits of the medical use of marihuana.

(b) Consent of the qualifying patient’s parent or legal guardian to allow the qualifying patient’s medical use of marihuana.

(c) Consent of the qualifying patient’s parent or legal guardian to serve as the patient’s primary caregiver and to control the acquisition, dosage, and frequency of use of the marihuana by the patient.

Rule 333.115 Primary caregiver; number of qualified patients; compensation.

Rule 15. (1) The department shall issue a registry identification card to the primary caregiver, if any, who is named in a qualifying patient’s approved application. A registered primary caregiver may assist not more than 5 qualifying patients with their medical use of marihuana.

(2) 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 a controlled substance.

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Caregiver Guide to understanding the Law

Michigan Medical Marijuana Association Caregiver Guide
“Supporting Michigan’s Medical Marijuana Community”

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