



Marijuana Regulatory Agency Addresses Courts Decision

May 2, 2019 – As of April 30, 2019, the Marijuana Regulatory Agency (MRA) was established via Governor Whitmer's

[Executive Order 2019-7](#). Over the next several weeks, the MRA, led by Executive Director Andrew Brisbo, will be implementing new practices to streamline the application process and ensure access to safe marijuana products.

Earlier this week, the Court of Claims issued several orders relative to the operation of unlicensed facilities and access to caregiver product. The MRA has reviewed the orders and is evaluating whether any further legal action is appropriate.

The agency will be reviewing applications for those that paid an application fee but never submitted a complete application and therefore never had it considered by the Medical Marijuana Licensing Board. This review will include applicants that never responded to notices of deficiency and/or failed to provide supplemental applications for owners, as required by the administrative rules. The MRA will swiftly provide these applicants – and others similarly situated – an approval or denial of their application.

As to caregiver product, until further notice, the MRA will not take disciplinary action against a licensee in the circumstances provided for in the Medical Marijuana Licensing Board's March 21, 2019 resolution. The full resolution is available [here](#).

Below is a summary of the provisions of the resolution regarding caregiver product that will remain in effect until the MRA publishes an advisory bulletin on this issue.

Licensed Provisioning Centers

- Licensees may obtain marijuana products only from a licensed grower or licensed processor.
- Licensees must obtain patient consent on a form provided by the MRA prior to selling any marijuana products obtained from a caregiver on or before April 30, 2019 that have not been tested in full compliance with the law and administrative rules.
- Licensees must enter all inventory into the statewide monitoring system immediately upon receipt.
- Licensees, before any sale or transfer, must verify – and confirm with government issued photo identification – with the statewide monitoring system that a patient or primary caregiver holds a valid registry identification card.
- Licensees must enter all sales in the statewide monitoring system and must determine sales will not exceed daily purchasing limits.
- Licensees must notify the MRA within one business day of becoming aware of any adverse reaction to a marijuana product sold or transferred.

Licensed Growers and Licensed Processors:

- Licensees may obtain marijuana products from caregivers.
- Licensees must enter all inventory into the statewide monitoring system immediately upon receipt.
- Licensees may only transfer marijuana products that have been tested in full compliance with the law and administrative rules.
- Licensees must tag or package all inventory that has been identified in the statewide monitoring system.
- Licensees must transfer marijuana products by means of a secure transporter, except where exempted under law.
- Licensees must notify the MRA within one business day of becoming aware of any adverse reaction to a marijuana product sold or transferred.