

Public Policy Position
Request the Marijuana Regulatory Agency Allow Telemedicine for Renewal of Michigan Medical Marijuana Act Cards

The Marijuana Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 842 members. The Marijuana Law Section is not the State Bar of Michigan and the position expressed herein is that of the Marijuana Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Marijuana Law Section has a public policy decision-making body with 12 members. On April 1, 2020, the Section adopted its position after an electronic discussion and vote. 12 members voted in favor of the Section’s position, 0 members voted against this position, 0 members abstained, 0 members did not vote.

Support

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Explanation:

The Marijuana Law Section is not the State Bar of Michigan, but rather a section whose membership is voluntary. The position expressed below is that of the Section only, and the State Bar has no position on the matter. The total membership of the Marijuana Law Section is 842. The ideological position was reached by the Council for the Marijuana Law Section, which consists of twelve elected members who function as the decision-making body for the Section. All twelve of the Council Members voted in favor of the position expressed below.

Mr. Andrew Brisbo, Director April 2, 2020
Marijuana Regulatory Agency
Michigan Department of Licensing and Regulation
Dear Mr. Brisbo:

We write today on behalf of the State Bar of Michigan Marijuana Law Section to request that LARA allow physicians to use telemedicine when considering patients for whom they might recommend medical marijuana patient cards.

As you know, the legislature added a requirement that such evaluations be conducted in an in-person interview. In this time of high risk of contagion from the COVID-19 virus, requiring face-to-



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face meetings puts patients, physicians, and support staff at extreme risk. These medical offices continue to operate as essential businesses.

While it might be preferable to have such a change done through the legislative process, this is an emergency situation. We believe that you and Governor Whitmer have the authority, during this time of emergency, to make this happen. It may not even be necessary to invoke emergency authority, as LARA could issue an interpretation of the rule that in-person includes telemedicine - short of the requirement that physician and patient be in the same room.

However this is done, we feel it imperative that LARA immediately move to reduce the potential risk of infection to all concerned.

Matthew R. Abel
Chairperson
State Bar of Michigan Marijuana Law Section

Cc: Governor Gretchen Whitmer
Orlean Hawks, Director of LARA