

HOUSE BILL No. 4463

March 22, 2011, Introduced by Rep. Knollenberg and referred to the Committee on Judiciary.

A bill to amend 2008 IL 1, entitled
"Michigan medical marihuana act,"
by amending section 3 (MCL 333.26423).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 3. Definitions.

2 Sec. 3. As used in this act:

3 (a) "Debilitating medical condition" means 1 or more of the
4 following:

5 (1) Cancer, glaucoma, positive status for human
6 immunodeficiency virus, acquired immune deficiency syndrome,
7 hepatitis C, amyotrophic lateral sclerosis, Crohn's disease,
8 agitation of Alzheimer's disease, nail patella, or the treatment of
9 these conditions.

10 (2) A chronic or debilitating disease or medical condition or
11 its treatment that produces 1 or more of the following: cachexia or

1 wasting syndrome; severe and chronic pain; severe nausea; seizures,
2 including but not limited to those characteristic of epilepsy; or
3 severe and persistent muscle spasms, including but not limited to
4 those characteristic of multiple sclerosis.

5 (3) Any other medical condition or its treatment approved by
6 the department, as provided for in section 5(a).

7 (b) "Department" means the state department of community
8 health.

9 (c) "Enclosed, locked facility" means a closet, room, or other
10 enclosed area equipped with locks or other security devices that
11 permit access only by a registered primary caregiver or registered
12 qualifying patient.

13 (d) "Marihuana" means that term as defined in section 7106 of
14 the public health code, 1978 PA 368, MCL 333.7106.

15 (e) "Medical use" means the acquisition, possession,
16 cultivation, manufacture, use, internal possession, delivery,
17 transfer, or transportation of marihuana or paraphernalia relating
18 to the administration of marihuana to treat or alleviate a
19 registered qualifying patient's debilitating medical condition or
20 symptoms associated with the debilitating medical condition.

21 (f) "Physician" means an individual licensed as a physician
22 under Part 170 of the public health code, 1978 PA 368, MCL
23 333.17001 to 333.17084, or an osteopathic physician under Part 175
24 of the public health code, 1978 PA 368, MCL 333.17501 to 333.17556.

25 (g) "Primary caregiver" means a person who is at least 21
26 years old, ~~and~~ who has agreed to assist with a patient's medical
27 use of marihuana, and who has never been convicted of a felony.

1 ~~involving illegal drugs.~~

2 (h) "Qualifying patient" means a person who has been diagnosed
3 by a physician as having a debilitating medical condition.

4 (i) "Registry identification card" means a document issued by
5 the department that identifies a person as a registered qualifying
6 patient or registered primary caregiver.

7 (j) "Usable marihuana" means the dried leaves and flowers of
8 the marihuana plant, and any mixture or preparation thereof, but
9 does not include the seeds, stalks, and roots of the plant.

10 (k) "Visiting qualifying patient" means a patient who is not a
11 resident of this state or who has been a resident of this state for
12 less than 30 days.

13 (l) "Written certification" means a document signed by a
14 physician, stating the patient's debilitating medical condition and
15 stating that, in the physician's professional opinion, the patient
16 is likely to receive therapeutic or palliative benefit from the
17 medical use of marihuana to treat or alleviate the patient's
18 debilitating medical condition or symptoms associated with the
19 debilitating medical condition.