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Michigan voters roll in medical marijuana, causing discomfort for cops, doctors

Posted by [Crystal McMorris](#) | [The Bay City Times](#) November 16, 2008 06:52AM
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Michigan voters said yes to medical marijuana by a ratio of nearly 2-1.

And while the law takes effect Dec. 4, details of how it will play out remain hazy among doctors, law enforcement officials and state residents who want to use the drug for medicinal purposes.

The state's Department of Community Health, through its county-level health departments, have been designated to maintain a registry and issue registration cards to patients and "caregivers" who will then be legally allowed to have up to 2.5 ounces of marijuana. The law also allows for patients and their caregivers to grow up to 12 plants, as long as they grown them in an "enclosed, locked facility." The department has until April 4 to have the registry up and running.

But local officials, doctors and patients remain unsure exactly how the new law will play out.

"All I know is what I read in the paper," said Dr. Howard Hurt, medical director of the Bay County Health Department.

And while state law now makes marijuana legal for medicinal purposes, federal law does not, leading to additional uncertainty in law enforcement.

"If the law provides for people to do this, we're going to have to allow people to do this," said Bay County Sheriff John E. Miller. "But I can see how this would be open for abuse."

Miller said that although federal law makes no exception to marijuana for medical use, his deputies enforce state law. And "the federal prosecutor is busy enough that he's not going to charge somebody with possession of marijuana."

Bay City Police Chief Michael Cecchini was a member of the Phoenix Police Department when Arizona voters made medical marijuana legal in 1996. He said he didn't notice a spike in problems associated with its use.



Newhouse News Service illustration

WHAT THE LAW MEANS

Voters have made medical marijuana legal in Michigan, but details about how the law will effect patients and their caregivers remain cloudy. The Michigan Department of Community Health answers some questions:

What does Proposal 1 allow?

Proposal 1 allows patients with a debilitating medical condition to use marijuana after obtaining a registry identification card from Michigan Department of Community Health.

To obtain a registry card, patients must have a written certification from a physician verifying that they have a debilitating medical condition the symptoms of which can be alleviated by marijuana use.

Patients in need of medical assistance in using the medical marijuana may designate a primary caregiver who will also be allowed to grow and possess marijuana.

How much marijuana can patients and their caregivers have at one time?

A registered patient shall not be arrested or prosecuted for the possession of 2.5

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Cecchini is "not in favor" of any form of legalized marijuana, however, because he feels it will "compound societal problems."

ounces or less of marijuana and 12 additional plants in an enclosed, locked facility.

"Alcohol is a legal substance and we still have to deal with people committing crimes while drunk on alcohol," he said. "When we start legalizing other drugs, I think that we're giving the government stamp of approval, and more people will use it."

A registered caregiver shall not be arrested or prosecuted for assisting a patient to whom he or she is connected through the department's registry.

Each caregiver may have up to 2.5 ounces of "usable" marijuana and 12 plants per patient.

Budding demand, hazy research

As chief medical director for the McLaren Visiting Nurse and hospice services, Dr. Michael Parmer oversees Brian's House locations in Bay City and Davison and similar facilities dedicated to making patients comfortable in the last six months of their lives.

Parmer said he would be willing to write a letter for a terminally ill patient, if asked, so that a person who turns to marijuana to alleviate his symptoms can continue doing so without engaging in criminal activity.

"I would not have a problem with writing that in the end stages of life," Parmer said. "But am I endorsing it? No."

Parmer said patients are "lining up for prescriptions" for medical marijuana, but that he can't provide them.

While the new law makes possession and use of marijuana legal for patients with debilitating conditions, it doesn't allow doctors to write prescriptions or patients to purchase packages of pot from their local pharmacies.

Parmer said he doesn't support the legalization of marijuana, for patients or anyone else.

"I don't have a bias about people's own beliefs," Parmer said. "People can do whatever they want. But this law has opened up an incredible can of worms. We have a law ... that makes it legal to grow, possess and use it for medical indications, but there are no medical indications actually approved by the FDA or any of the medical boards, because there's no research that shows marijuana to be medically beneficial."

Parmer acknowledges there is anecdotal evidence that the drug helps with chronic pain, nausea and appetite. But he debates whether it controls pain, or just masks it.

"It's a mind-altering substance," Parmer said. "When people get high, they may be more comfortable. It's kind of an escape rather than true pain relief. It's altering their perception of pain."

If patients at Brian's House choose to use marijuana, he won't oppose it.

"That would be their option," Parmer said. "We would treat it the same way we do tobacco - there's a designated smoking area outside the building."

Kurt Miller, director of public relations for Bay Regional Medical Center, said the hospital's only policy on the new law is that the no-smoking policy for buildings and grounds will apply to marijuana as well as cigarettes.

"We talked about this yesterday with our directors," Miller said on Tuesday. "Essentially it comes down to the physicians to make choices with each of their patients."

Advocates see growth industry

Who can become a primary caregiver?

A primary caregiver is a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marijuana and who has never been convicted of a felony involving illegal drugs.

The caregiver can assist no more than five patients.

Compensation from patients to the caregivers will be legal.

Who will operate the program?

The Bureau of Health Professions, within the Michigan Department of Community Health, with county health departments serving as registration sites.

When can patients and caregivers apply for the program?

The law takes effect Dec. 4, but the department has until April 4 to come up with the rules and operation of the registry.

Can I get a prescription for marijuana and fill it at my pharmacy?

No. The new law does not provide a legal means of acquiring marijuana or seeds nor will state officials offer advice on how to do so.

Michigan is the 13th state to allow medical use of marijuana. Three cities in Michigan - Flint, Traverse City and Ann Arbor - have already adopted laws making possession of small amounts of marijuana a civil infraction.

Massachusetts voters on Nov. 4 approved the first statewide measure to decriminalize marijuana, making the possession of an ounce or less a civil infraction punishable by a \$100 fine.

And on Monday, U.S. Rep. Barney Frank (D-Massachusetts) proposed a bill that would decriminalize possession of as much of 3.5 ounces of marijuana across the country.

Rob Kampa, executive director of the Marijuana Policy Project with offices in Las Vegas and Washington D.C., said the efforts in Michigan and in Massachusetts demonstrate a "sea change" in public attitudes about use of the drug for medical and recreational purposes.

"Last year an American was arrested on marijuana charges once every 36 seconds, which is more arrests for marijuana possession alone than for all violent crimes combined." Kampa said in a press release. "Voters have loudly said, 'Enough!'"

"Marijuana prohibition is about to take its place next to alcohol Prohibition on the ash heap of history."

Medical use may just be the beginning, if marijuana advocates have their way.

Everett Swift, a Hillman resident who helped put Proposal 1 on the Michigan ballot, is also executive director of an organization called MIHEMP. That group is dedicated to educating the public - and lawmakers - about industrial uses of hemp in "manufacturing, agriculture, biofuels and the positive effect it could have on the Michigan economy."

"We want Michigan to join the 15 other states that have told the federal government to allow hemp production in the United States," Swift told The Times. "We are the only industrialized nation in the world that is not taking advantage of this resource."

Swift notes that the proposal passed in every county in Michigan, with 63 percent of the electorate approving.

"The large margin of victory only goes to show how out of touch the Michigan Legislature and governor are with the people of Michigan," Swift said.

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Posted by [futurepeace](#) on [11/16/08 at 3:59PM](#)

There are a few glaring, misleading points contained in this article (that I hope the Bay City Times corrects in future articles on the subject):

I'm not sure whether Dr. Palmer is blatantly lying or profoundly ignorant; but contrary to what he has claimed, there is a ton of medical evidence establishing the safety and medical efficacy of cannabis. Tragically for patients, however, some doctors are too brainwashed by propaganda to look at the truth.

So, here's a small "catch up" for Dr. Palmer:

1. First, cannabis has a scientific and historical record thousands of years old that clearly establishes its safety and efficacy in treating a wide array of medical conditions and symptoms. Cannabis has been studied and dissected for centuries, and there are no credible accounts of cannabis ever killing from toxicity. I wish I could say the same thing about Vioxx, which killed close to 30,000 people in just a few years (from sudden cardiac "events"), according to the FDA.

In the U.S., cannabis was a part of the U.S. Pharmacopoeia from the mid-1800s until 1942 -- and was one of the leading ingredients in medicine -- until the irrational, racially-fueled "Marihuana Tax Act of 1937" hoodwinked our elected officials (despite the American Medical Association opposing the Act).

We already know that cannabis is enormously safer than many -- if not most -- of our FDA-approved medications (we know this by LD-Ratings; by therapeutic ratios; by the lack of serious side-effects; and by the lack of credible reports of a single overdose in thousands of years, which is mind-boggling).

Here's expert testimony to the 2005 DEA hearings on medical cannabis research, the "History of Cannabis as a Medicine," by Lester Grinspoon, M.D., which should help Dr. Palmer "catch up":