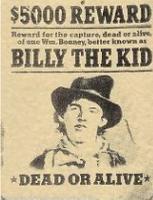


Maine Medical Use of Marijuana Act Information Chart

By Amy Phalon for the York Planning Board April 9, 2014

Person/Entity → Issue ↓	Patient	Licensed Caregiver	Licensed Medical Marijuana Dispensary	Non-growing Caregiver	Outlaw
Is covered by Maine's Medical Marijuana law: 22 M.R.S.A. §2421 et. seq.	Yes. A patient must have written certification from a physician recommending the use marijuana to treat symptoms of a specific debilitating medical condition with which the patient is afflicted.	Yes. A licensed caregiver provides assistance to a patient with cultivation, processing, and/or use of marijuana. Must be designated by the patient.	Yes. A dispensary provides cultivation and processing services for patients. Officers or employees of a dispensary may assist a patient in the use of marijuana. Must be designated by the patient. 22 M.R.S.A. §2428	Yes. A medical caregiver at a hospital, nursing, hospice, or similar facility that treats a patient. Helps administer the marijuana to the patient.	No. Is covered by State and Federal criminal laws. 
Is allowed to sell marijuana Is allowed to give it away	No. Only to other patient/caregiver	No, but may accept reimbursement for reasonable costs of growing and processing. May give to other caregiver or transfer up to 2lbs/year to a dispensary for reasonable compensation.	Yes, but only to qualified patients and not for profit. May dispense only to patients who have designated the dispensary. May transfer up to 2lbs excess to another dispensary	No.	No.
Has a state-issued registry id card.	Maybe. Patient registration is voluntary and free. A registered patient must have photo ID & the registry ID card when in possession of marijuana. An un-registered patient must have photo ID & the original physician certification form when in possession of marijuana.	Yes. Caregivers must register and pay an annual fee of \$300 per patient; unless the patient is a family member or the caregiver is also a patient, then registration is free and voluntary.	Yes. The dispensary must be registered and renew registration yearly at a cost of \$15,000. The state-issued registry certificate must be displayed in a publicly visible location in the dispensary. All employees of the dispensary must be registered, undergo a criminal background check and obtain a registry ID card.	Yes. The facility must register as a primary caregiver and provide cards to qualified staff.	No.
Is allowed to grow # plants	6 mature plants plus more in various stages of growth. OR may designate a caregiver or dispensary to cultivate and process the marijuana.	6 mature plants per patient for no more than 5 patients who have designated the caregiver, plus t.b.d. number of plants in various stages of growth.	6 mature plants per patient, for no more than ? patients who have designated the dispensary, plus t.b.d. number of plants in various stages of growth. May dispense up to 2.5oz. per patient in 15-days.	0 Plants. Up to 2.5 oz. prepared marijuana per patient.	0

Must meet food establishment licensing requirements if preparing food containing marijuana	No. A patient may process the marijuana in to food in the patient's own home.	No if patient is co-habitant and food preparation is done in home. Yes if food preparation is being done for multiple patients out of the patient's home.	Yes.	Yes.	Not allowed to prepare marijuana food.
How much marijuana? 	Up to 2.5 oz of prepared marijuana or up to 6 mature plants. Plus other immature plants and incidental marijuana of any specified amount.	Up to 2.5 oz of prepared marijuana for each patient and up to 6 mature plants for each patient. Plus immature plants and incidental marijuana of any amount.	Up to 2.5 oz of prepared marijuana for each patient. Up to 6 mature plants for each patient plus immature plants and incidental marijuana.	Up to 2.5 oz of prepared marijuana for the patient.	None.
May operate an off-site growing /processing operation.	No. May grow for own use on own property in an enclosed locked facility or enclosed outdoor area.	Yes. May cultivate & prepare for patients on property that is owned or under the control of caregiver or the patient. Growing and processing must take place in a secure locked facility. If member of the same household is also a caregiver the two may share the same enclosed, locked facility.	Yes. Must be in an enclosed locked facility.	No.	No.
May partner up with others to grow marijuana aka: Join a collective.	No.	No. May request help from someone to tend to plants and patients when ill or on vacation and pay reasonable compensation.	No. May hire individuals to cultivate and process.	No.	No.
May be regulated by municipal land-use regulations	n/a	Yes, if cultivating for multiple patients outside the patients' homes or operating an off-site growing / processing operation. Subject to set-backs, fence height, etc.	Yes. A municipality may also limit the number of dispensaries.	n/a	Yes.

MORE INFORMATION



Some indoor marijuana growing operations.



***OFF-SITE GROWING/PROCESSING RULES:**

- Must take place in an enclosed, locked facility that is protected from view as well as entry
- All plants must be identified and tracked from growing to processing to delivery to the patient
- Access to the facility is limited to a cardholding caregiver, or a cardholding officer or employee of a dispensary
- A dispensary is permitted one location for cultivation which may be separate from the non-profit retail outlet.

***CONFIDENTIALITY:**

- Patient and caregiver applications and supporting identifying information given to DHHS is confidential
- Patient's specific medical condition, name, address, etc. is confidential information
- Registry ID cards for patients, caregivers, and/or dispensary officers or employees are not confidential
- Law enforcement may ask for ID cards or physician documentation; and DHHS may verify an ID card's validity upon inquiry of law enforcement
- Dispensary information is not confidential unless it is identifying information of a patient, caregiver or physician.

***LIMITATIONS**

- Patients may not possess or use marijuana in the following places: school bus, school grounds, correctional facilities
- Patients may not smoke marijuana in the following places: while riding public transportation, while in any public place, or use or be under the influence of marijuana while operating any motor vehicle.

