

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.8115 Rules.

Sec. 8115. (1) Subject to subsection (2), the department shall promulgate rules necessary to carry out this article. The rules shall address, but are not required to be limited to addressing, all of the following subjects:

(a) If not specifically provided for in this article, activities necessary for the compliance with or enforcement of or activities that constitute a violation of this article, including, but not limited to, procedures and grounds for denying, suspending, or revoking a license or registration card under this article.

(b) Instructions for access by local health departments and law enforcement officers.

(c) All forms necessary or convenient for the implementation, administration, and enforcement of this article.

(d) Activities that constitute or result in misrepresentation or unfair, deceptive practices.

(e) Procedures and forms for issuing enhanced pharmaceutical-grade cannabis registration cards.

(f) Regulating the manufacturing, inventory, storage, disposal, and sale of pharmaceutical-grade cannabis and specifying legitimate sources for obtaining seed to cultivate pharmaceutical-grade cannabis.

(g) The quarterly reporting by licensed facilities of their inventory, which shall include the number of plants under cultivation, the amount of dried plant material, the amount of destroyed plants, and all sales.

(h) Compliance with federal regulatory requirements.

(i) Health and sanitary requirements for licensed facilities.

(j) Record keeping, record retention, record storage, and record security requirements for pharmaceutical-grade cannabis licensed facilities.

(k) Audit requirements for licensed facilities, which shall include self reporting of inventory on a monthly basis, subject to inspection by designated state and federal authorities.

(l) Physical security requirements for pharmaceutical-grade cannabis that at a minimum include lighting and alarms.

(m) The reporting and transmittal of monthly sales and income tax payments for licensed facilities.

(n) Authorization for the department of treasury to have access to licensing information to ensure sales and income tax payments for licensed facilities.

(o) Activities that constitute lawful and unlawful financial arrangements between licensed facilities.

(p) The quantity of pharmaceutical-grade cannabis plants and dried plant material that a licensed facility may possess in its inventory at any time.

(q) Other matters necessary for the fair, impartial, stringent, and comprehensive implementation, administration, and enforcement of this article to protect the health, safety, and welfare of the residents of this state.

(2) The department of licensing and regulatory affairs may begin promulgation of the rules required under this article at the time marihuana, including pharmaceutical-grade cannabis, is rescheduled by federal authority. However, implementation and enforcement of this article shall not occur sooner than 180 days after that federal authority reschedules marihuana.

History: Add. 2013, Act 268, Imd. Eff. Dec. 30, 2013.

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