

## NOTICE TO PHYSICIAN

### PHYSICIAN'S RIGHTS AND RESPONSIBILITIES UNDER THE MICHIGAN MEDICAL MARIHUANA ACT

A Physician or Osteopath who treats a patient with a debilitating condition, as that term is used in the MMA has defined responsibilities and protections under the statute. A doctor who sees a patient who is seeking to use medical marihuana should:

“complete a full assessment of the patient's medical history and current medical condition made in the course of a bona fide physician-patient relationship, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's serious or debilitating medical condition or symptoms of the patient's serious or debilitating medical condition”

If the doctor makes that diagnosis he writes a “certification” which is  
“a document signed by a physician, stating the patient's debilitating medical condition and stating that, in the physician's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's debilitating medical condition or symptoms associated.” See attached Physician's Certification form

The patient's application filed with the Department of Community Health list the doctor's name and phone number and the Department is required under to law to verify by phone the information contained in the certification.

A treating doctor has no further responsibilities to the patient except for annual renewals that are required by the law. The law's protection of the physician states:

“A physician shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by the Michigan board of medicine, the Michigan board of osteopathic medicine and surgery, or any other business or occupational or professional licensing board or bureau, solely for providing written certifications, in the course of a bona fide physician-patient relationship and after the physician has completed a full assessment of the qualifying patient's medical history, or for otherwise stating that, in the physician's professional opinion, a patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's serious or debilitating medical condition or symptoms associated with the serious or debilitating medical condition, provided that nothing shall prevent a professional licensing board from sanctioning a physician for failing to properly evaluate a patient's medical condition or otherwise violating the standard of care for evaluating medical conditions.”