

New Proposed Medical Marijuana Bill - *NJ Cannabis* Blog

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On March 5, 2018, Assemblymen Gusciora and Eustace introduced new legislation (Assembly Bill, No. 3437) to revise New Jersey's medical marijuana program. The proposed legislation would make substantial changes to the existing law and address many of the roadblocks that medical marijuana advocates have complained impeded New Jersey's medical marijuana program.

The legislation would create three regions: northern, central and southern New Jersey and require at least six medical marijuana dispensaries and two cultivator-processors in each region. With the six existing dispensaries, the bill would provide for 12 new dispensaries across the state. Additional dispensaries could be added when the number of registered patients exceeds 270,000.

The bill removes the narrow definition of who can prescribe medical marijuana and would essentially permit any licensed physician to do so. Physicians would no longer be required to register with the state, but may do so to enable patients to find physicians willing to write prescriptions. New provisions are added to ensure that pediatric physicians are involved in any decision to treat minors with marijuana. The bill also would permit physicians to prescribe the use of marijuana infused products. The bill also authorizes physicians to issue adult patients multiple instructions at one time for up to a year's supply, and to minors up to a 90-day supply, of marijuana.

The bill expands qualifying medical conditions to include "chronic pain."

The bill sets caps on the cost for patient registration fees and provides a lower amount for indigent patients. New licensees would be prohibited from owning both a dispensary and a cultivation-processing facility, and no one would be permitted to own two facilities (except an owner of one facility can own less than 10% of another facility). The bill

does not make significant changes to the criteria by which new applicants will be judged.

Pashman Stein Walder Hayden is carefully monitoring developments in New Jersey and federally with respect to marijuana legislation and will be available to help its clients navigate the sure-to-be complex regulatory framework of this potential business frontier.

Please contact **Sean Mack** at smack@pashmanstein.com or 201.270.4919 for further information.

