

MEDICAL MARIJUANA IN CONNECTICUT

Although the new medical marijuana law (PA 12-55) is now in effect, it is not really in use yet because several rules and regulations have to be promulgated regarding the use, cultivation and distribution of the marijuana under this law. It is premature to try to present much information about the law at this point because there are so many unanswered questions. Questions likely to come up that probably couldn't be answered would include:

1. Can I grow my own?
2. Where can I buy it if I have a prescription?
3. What if don't use all that I am permitted to buy?
4. Where in the state can it be legally cultivated?
5. Is it covered by my insurance?

The Act also requires the Department of Consumer Protection to adopt regulations that will:

1. Indicate the maximum number of dispensaries that may be licensed in this state;
2. Provide that only a pharmacist licensed under chapter 400j of the general statutes may apply for and receive a dispensary license;
3. Provide that no marijuana may be dispensed from, obtained from or transferred to a location outside of this state;
4. Establish a licensing fee and renewal fee for each licensed dispensary, provided such fees shall not be less than the amount necessary to cover the direct and indirect cost of licensing and regulating dispensaries pursuant to sections 1 to 15, inclusive, of this act;
5. Provide for renewal of such dispensary licenses at least every two years;
6. Describe areas in this state where licensed dispensaries may not be located, after considering the criteria for the location of retail liquor permit premises set forth in subsection (a) of section 30-46 of the general statutes;
7. Establish health, safety and security requirements for licensed dispensaries, which may include, but need not be limited to: (i) The ability to maintain adequate control against the diversion, theft and loss of marijuana acquired or possessed by the licensed dispensary, and (ii) the ability to maintain the knowledge, understanding, judgment, procedures, security controls and ethics to ensure optimal safety and accuracy in the distributing, dispensing and use of palliative marijuana;
8. Establish standards and procedures for revocation, suspension, summary suspension and nonrenewal of dispensary licenses, provided such standards and procedures are consistent with the provisions of subsection (c) of section 4-182 of the general statutes; and
9. Establish other licensing, renewal and operational standards deemed necessary by the commissioner.

There are still some questions about how the state law will work in connection with federal law since this form of marijuana cultivation, distribution and possession may still violate federal laws in some situations.

Contact the State Department of Consumer Protection to learn more about the law at this time. Go to their website, they have a special page on the issue at <http://www.ct.gov/dcp/cwp/view.asp?a=4287&q=503670>. There you can sign up for "medical marijuana E-alerts" that will inform you of new developments with the law.