



## Governor Phil Murphy

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## Newark, N.J.

# Governor Murphy Signs Legislation to Dramatically Reform New Jersey's Medical Marijuana Program, Expand Patient Access

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**FREEHOLD** – Governor Phil Murphy today signed the Jake Honig Compassionate Use Medical Cannabis Act to dramatically reform New Jersey's Medicinal Marijuana Program (MMP) and expand patient access to medical marijuana.

"Today's legislation creates a medical marijuana program that is modernized, compassionate, progressive, and meets the needs of patients," said **Governor Murphy**. "I am proud to stand with my legislative partners as we break down barriers to ensure this life-changing medical treatment is affordable and accessible for those who need it most."

The bill, A20, makes several statutory changes to New Jersey's MMP. A number of these were called for in the New Jersey Department of Health's report that was released in March 2018, pursuant to Executive Order No. 6. The changes include:

- **Raising the monthly limit from two ounces to three ounces:** Currently, medical marijuana patients are limited to receiving two ounces in a 30-day period. The bill raises the limit to three ounces for 18 months, and after that time elapses, the maximum amount will be determined by regulation. Additionally, terminally ill and hospice care patients will not be subject to any monthly limit, effective immediately.
- **Extending the authorization period from 90 days to one year:** Currently, patients can only be authorized by a physician to receive up to a 90-day supply and must be re-certified every three months. The bill changes this requirement and authorizes health care practitioners to issue up to a one-year supply, which will help reduce the frequency of these visits and decrease costs for patients.
- **Edibles for adults in addition to minors:** Under the prior law, edibles were only authorized for patients who are minors. This bill allows edibles to be dispensed to adult patients as well.
- **Phase-out of sales tax:** Unlike most forms of medicine, medical marijuana is currently subject to the sales tax. The bill phases out the sales tax over three years. It goes down to 4 percent in July 2020, 2 percent in July 2021, and is eliminated entirely in July 2022.
- **Allowing physician assistants and advanced practice nurses to authorize medical marijuana:** Under the prior law, only physicians could authorize the use of medical marijuana for patients. This bill allows

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physician assistants and advanced practice nurses to also authorize medical marijuana treatments, making medical marijuana more accessible to patients.

- **Employment protections for patients:** The bill prohibits employers from taking adverse employment actions against employees solely based on their status as medical marijuana patients. The bill clarifies that nothing in the law requires employers to allow the consumption of medical marijuana during work hours or do anything that could result in the loss of federal funding.
- **Multiple caregivers per patient:** The bill authorizes patients to have two designated caregivers at once. Designated caregivers can obtain medical marijuana for a patient.
- **Reciprocity with other states' medical marijuana programs:** Individuals who are registered as qualifying patients in other states can be considered qualifying patients in New Jersey for a period of up to six months. During that time, they can possess and use medical marijuana, and can obtain medical marijuana if they get authorization from a health care practitioner in New Jersey based on a qualifying condition.
- **Price lists for dispensaries:** Dispensaries will be required to post on their websites a price list that applies to all medical marijuana products and cannot deviate from those prices. These price lists cannot be revised more than once a month. Transparency around pricing will promote competition and help lower prices for patients.
- **Home delivery:** The bill authorizes the adoption of regulations to enable dispensaries to deliver medical marijuana to patients, which will improve patient access.
- **Creation of a Cannabis Regulatory Commission:** The bill creates a Cannabis Regulatory Commission in but not of the Department of the Treasury to assume responsibility over the medical marijuana program. The Commission consists of five members appointed by the Governor, with one each upon the recommendation of the Senate President and the Speaker. The initial three appointments made solely by the Governor are direct appointments serving terms of three, four, and five years, and subsequently are subject to advice and consent.

"Advocates have waited for this, caregivers have waited for this, parents have waited for this, but most important: patients have waited for this," said **Michael Honig, Jake's father**. "Among many things, what is so special and nearest to our hearts is that it completely lifts the ban for terminally ill patients. Now they can receive unlimited medication it will take to keep them comfortable as they end their life."

"The Governor asked us to transform the Medicinal Marijuana Program to be more compassionate and responsive to patients. Over the last 18 months, we delivered, adding almost three times the number of patients, more conditions, faster enrollment, and a better patient experience," said **New Jersey Department of Health Commissioner Dr. Shereef Elnahal**. "With this bill signing, the Governor is doing even more. No more monthly limits for terminal patients, while raising the limit for everyone else. Workplace protections. Medical school partnerships for research. This bill does amazing things for patients."

"Today is a giant step forward, enabling us to provide much better patient service," said **Jeff Brown, Assistant Commissioner of the Division of Medicinal Marijuana at the New Jersey Department of Health**. "These changes will break down barriers for patients, like ending the requirement that they need to see a physician every 90 days, and will improve access by allowing more health professionals – Physician Assistants and Advanced Practice Nurses – to authorize patients for medical marijuana. Because of this new law, more patients will be able to access and benefit from this therapy."

Primary sponsors of the legislation include Senators Joseph Vitale, Nicholas Scutari, and Declan O'Scanlon, and Assemblymembers Joann Downey, Joe Danielsen, Eliana Pintor Marin, Andrew Zwicker, Eric Houghtaling, and Carol Murphy.

"This expansion of our medical marijuana program is patient-centric and patient-first," said **Senator Joseph Vitale**. "With these long overdue reforms, we will treat patients with the dignity they deserve, recognize the full benefits of cannabis and ensure that compassion is a mainstay in New Jersey's medical marijuana program. It is critically important that we provide relief to those with qualifying conditions right now, and this bill becoming law will do just that."

"Jake Honig's Law is a compassionate, comprehensive effort to help countless seriously-ill patients in New Jersey get the relief they need. I am proud to have sponsored this law, and I am grateful that we are naming it after Jake,"

**said Senator Declan O'Scanlon.** "We have heard so many examples of medical marijuana patients like Jake, who experience significant benefits, with minimal side effects. Overall, this is a responsible way to make medical marijuana more accessible for a larger number of people. It's a huge step in the right direction, and I'm grateful for the Honig family's courageous efforts in this fight."

"This is a momentous day for New Jersey and the individuals that have been forced to endure suffering due to their lack of access to medicinal cannabis," **said Senator Nicholas Scutari.** "The restrictiveness of New Jersey's medical marijuana program is why I sponsored and passed the original legislation for reforms in the Senate a decade ago. This is only the beginning of great things to come for New Jersey's cannabis industry."

"For over a year, the Assembly worked tirelessly with the Governor and the Senate in an effort to responsibly expand the medicinal cannabis market," **said Assembly Speaker Craig Coughlin.** "The resources and treatment we are making more readily available to patients will help to save lives. Expanding access to medicinal cannabis in a safe, accessible, and regulated market will help our fight against the opioid epidemic and provide patients who depend on cannabis as an integral part of their pain management with ongoing care and support."

"I am proud to see the Legislature move to provide patients with access to proven effective treatments based on medicinal marijuana," **said Assemblywoman Joann Downey.** "The signing of this legislation is in honor of residents who are suffering from a life-threatening medical condition and looking for viable medical answers to improve their quality."

"Any step that removes the many bureaucratic hurdles a patient and their families have to jump through to get access to the medicine they need is a step in the right direction," **said Assemblyman Joe Danielsen.** "Now the Medicinal Marijuana Program can begin to meet the current demand for this type of treatment where in the past they were rendered incapable and ineffective under previous unfair and strict regulations. This is the way to go for New Jersey to improve and support access."

"This legislation will impact New Jersey residents in two significant ways. We're helping patients gain access to new treatments that will help them to live better with an illness," **said Assemblywoman Eliana Pintor Marin.** "And, through the expansion of the Medicinal Marijuana Program, we're creating new opportunities for business and career growth in a burgeoning industry."

"Now that it is enacted, this legislation will provide patients with another treatment modality which can give them relief from debilitating symptoms as a result of their medical conditions," **said Assemblyman Andrew Zwicker.** "New Jersey is taking a significant step forward in how we improve patients' quality of life and treat the symptoms of severe and chronic illnesses."

"Too many restrictions have weakened this program and patients have suffered for it for way too long. Medical marijuana has proven to be an effective treatment for some medical conditions," **said Assemblyman Eric Houghtaling.** "The goal here was to really help people who are dealing with life-changing, long-term medical conditions. We have to make this treatment even more accessible and more versatile to help residents live their best lives for themselves and their families."

"We want to put patients and doctors back in charge of a patient's medical care plan," **said Assemblywoman Carol Murphy.** "These are the reasonable changes to the current system we need to make patient care and their individual needs a priority and we should support them wherever they are in their lives."

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