

**PUBLIC NOTICE**

**HEALTH**

**THE COMMISSIONER**

**Notice of Receipt of Petition for Rulemaking**

**Revision of N.J.A.C. 8:64 Medicinal Marijuana Program Rules**

Petitioner: Ken Wolski, RN, MPA, Executive Director, Coalition for Medical Marijuana - New Jersey, Inc., Trenton, NJ.

**Take notice** that on October 16, 2014, the Department of Health (Department) received a petition for rulemaking from Ken Wolski, RN, MPA, Executive Director of the Coalition for Medical Marijuana - New Jersey, Inc., of Trenton, New Jersey.

**Substance or nature of the requested rulemaking action**

The petitioner requests that the Department make certain amendments to N.J.A.C. 8:64, the Medicinal Marijuana Program rules. N.J.A.C. 8:64 implements the New Jersey Compassionate Use Medical Marijuana Act (Act), N.J.S.A. 24:6I-1 et seq.

**Problem or purpose of the request**

The petitioner requests that the Department:

1. Eliminate the fee to apply for issuance or renewal of a primary caregiver identification card of \$200.00 at N.J.A.C. 8:64-2.1(f);
2. Eliminate the sales tax on medical marijuana;

3. Delete the requirement at N.J.A.C. 8:64-2.4 that physicians register with the Department to be eligible to submit a certification pursuant to N.J.A.C. 8:64-2.5;

4. Delete the “course requirement in pain management in order for licensed physicians to recommend medical marijuana”;

5. Delete N.J.A.C. 8:64-2.5(a)6, and 9, which establish some of the required content of a physician certification for a patient to be eligible to obtain medicinal marijuana from an alternative treatment center;

6. Add post-traumatic stress disorder (PTSD) to the definition of “debilitating medical conditions” at N.J.A.C. 8:64-1.2; and

7. Delete the part of N.J.A.C. 8:64-2.5(b) that petitioner characterizes as “requiring parents to seek the approval of three licensed physicians in order to obtain medical marijuana for their child.”