



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

TAHESHA L. WAY
Lt. Governor

RESOLUTION 2023-176
**WAIVER OF REGULATIONS TO REDUCE AND ELIMINATE QUALIFYING
PATIENT AND PRIMARY CAREGIVER ISSUANCE AND RENEWAL FEES**

WHEREAS, pursuant to N.J.A.C. 17:30A-7.11, the New Jersey Cannabis Regulatory Commission's (the "Commission"), or the Commission's designee, in accordance with the general purpose and intent of the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1 et seq., (the "Act"), may waive certain requirements regarding the operations of Alternative Treatment Centers, if in the Commission's, or the Commission's designee's, determination, such a waiver is necessary to achieve the purpose of the Act and provide access to patients who would otherwise qualify for the use of medicinal cannabis to alleviate suffering from debilitating medical conditions, and does not create a danger to the public health, safety or welfare; and

WHEREAS, pursuant to N.J.S.A. 24:6I-4(a), the Commission "shall establish a registry of qualifying patients and their designated caregivers and shall establish a means of identifying and verifying the registration status of patients and designated caregivers who are registered with the [C]ommission. Registration with the [C]ommission shall be valid for two years"; and

WHEREAS, pursuant to N.J.S.A. 24:6I-4(a)(2), a patient or designated caregiver shall be registered with the Commission upon submitting "an application or renewal fee, which may be based on a sliding scale as determined by the [C]ommission"; and

WHEREAS, pursuant to N.J.A.C. 17:30A-2.1(c), "[t]he fee to apply for issuance or renewal of a registry identification card as either a qualifying patient or a primary caregiver is \$100.00, unless the applicant is reduced-fee eligible, in which case, the fee to apply for issuance or renewal of a registry identification card is \$20.00"; and

WHEREAS, pursuant to Resolution 2022-35, the Commission waived N.J.A.C. 17:30A-2.1(c), reducing qualifying patient and primary caregiver issuance and renewal fees from \$100.00 to \$50.00; and

WHEREAS, the Commission has received, reviewed, and considered multiple requests to reduce qualifying patient and primary caregiver issuance and renewal fees; and

WHEREAS, the Commission finds that reducing qualifying patient and primary caregiver issuance and renewal fees will further benefit the patient population by providing access to medical cannabis for more patients and caregivers, alleviate suffering from debilitating medical conditions and does not create a danger to the public health safety or welfare;

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Cannabis Regulatory Commission, that

1. The certificate of rule waiver dated July 28, 2022, and adopted by Resolution 2022-35 is hereby rescinded.

N.J.A.C. 17:30A-2.1(c) is hereby waived as indicated in the attached Certificate of Waiver, eliminating qualifying patient and primary caregiver issuance and renewal fees where the qualifying patient and primary caregiver requests the receipt of an electronic registry identification card. If, however, the qualifying patient or primary caregiver elects to receive a physical registry identification card, the fee will be reduced to \$10.00. This waiver shall take effect immediately and shall remain in place until further formal action by the New Jersey Cannabis Regulatory Commission is taken to rescind or amend this waiver.

Submitted by:



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 7th day of December 2023.



Christopher Riggs, Chief Counsel

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker	X		X			
Commissioner Del Cid-Kosso		X	X			
Vice Chair Delgado			X			
Chairwoman Houenou			X			
Commissioner Nash			X			



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

TAHESHA L. WAY
Lt. Governor

CERTIFICATE OF WAIVER OR SUSPENSION OF REGULATION

Authority: N.J.S.A. 24:6I-7(a)(6) and N.J.A.C. 17:30A-7.11
Date Issued: December 7, 2023
Regulation(s) Affected: N.J.A.C. 17:30A-2.1 Fees for issuance and renewal of registration of qualifying patients and primary caregivers
Effective Date: December 7, 2023
Expiration Date: Upon modification or revocation by the Board of Commissioners

The New Jersey Cannabis Regulatory Commission (“Commission”) grants relief in the form of this regulatory waiver to allow for the elimination and/or reduction of fees for the issuance and renewal of a registry identification card for qualifying patients and primary caregivers, subject to the criteria and conditions set forth herein. In accordance with N.J.S.A. 24:6I-4(a) of the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1, et seq. (P.L.2019, c.153) (the “Act”), the Commission “shall establish a registry of qualifying patients and their designated caregivers and shall establish a means of identifying and verifying the registration status of patients and designated caregivers who are registered with the commission. Registration with the commission shall be valid for two years.” N.J.S.A. 24:6I-4(a)(2) provides that a patient or designated caregiver will be registered with the Commission upon submitting “an application or renewal fee, which may be based on a sliding scale as determined by the [C]ommission.” N.J.A.C. 17:30A-7.11 provides that the Commission may waive a regulatory requirement regarding the operations of an alternative treatment center (“ATC”) if such waiver is necessary to achieve the purpose of the Act; is necessary to provide access to patients who would otherwise qualify for the use of medicinal cannabis to alleviate suffering from debilitating medical conditions; and does not create a danger to public health, safety, or welfare.

N.J.A.C. 17:30A-2.1 states that the fee to apply for the issuance or renewal of a registry identification card as either a qualifying patient or primary caregiver is \$100.00, unless the applicant is reduced-fee eligible. Pursuant to Resolution 2022-35, the Commission waived N.J.A.C. 17:30A-2.1(c), thereby reducing the issuance and renewal fees for qualifying patient and primary caregivers from \$100.00 to \$50.00. The Commission has now determined to issue this regulatory waiver to immediately waive the fee in its entirety for the receipt of an electronic registry identification card, and to reduce the fee to \$10.00 for a printed hard copy of the registry

identification card. The Commission finds that waiver of N.J.A.C. 17:30A-2.1(c), to be necessary to achieve the purpose of the Act and provide access to more caregivers and patients who would otherwise qualify for the use of medicinal cannabis, to alleviate suffering from debilitating medical conditions, and would not create a danger to the public health, safety, or welfare.

The specific rule being waived is as follows:

N.J.A.C. 17:30A-2.1 Fees for issuance and renewal of registration of qualifying patients and primary caregivers

....

(c) The fee to apply for issuance or renewal of a registry identification card as either a qualifying patient or a primary caregiver is \$100.00, unless the applicant is reduced-fee eligible, in which case, the fee to apply for issuance or renewal of a registry identification card is \$20.00.

This waiver is subject to the following terms and conditions:

1. This waiver applies only to qualified patients and primary caregivers as defined by N.J.A.C. 17:30A-1.2, and registered with the Commission in accordance with N.J.A.C. 17:30A-2.2 and -2.3.
2. This waiver eliminates qualifying patient and primary caregiver issuance and renewal fees for the receipt of an electronic registry identification card, once electronic ID cards are available in the registry.
3. If a qualifying patient or primary caregiver elects to receive a printed hard copy of the registry identification card, or before electronic registry identification cards are available, the fee will be reduced to \$10.00.
4. If opting for a printed hard copy of the registry identification card, the qualifying patient or primary caregiver shall transmit to the Commission a check or money order, or any other form of payment the Commission approves, in accordance with N.J.A.C. 17:30A-2.1.
5. Each person to whom the Commission has issued a registry identification card shall possess the registry identification card whenever he or she is in possession of medicinal marijuana.
6. Subject to N.J.A.C. 17:30A-3.2, registry identification cards shall be valid for two (2) years from its effective date, unless revoked or surrendered.
7. This waiver shall take effect immediately and shall remain in place until further formal action by the Commission is taken to rescind or amend this waiver.

This relief granted by the Commission is based upon assessments of New Jersey's medicinal cannabis industry. The relief granted is subject to review, modification, or revocation as the Commission deems appropriate.



Dianna Houenou, Chairperson
New Jersey Cannabis Regulatory Commission