



# NEWS

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Illinois Department of Public Health

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## Proposed Rules for Compassionate Use of Medical Cannabis Pilot Program Act Filed

**SPRINGFIELD** – The state of Illinois today announced that the proposed rules for implementation of the Compassionate Use of Medical Cannabis Pilot Program Act have been published in the [Illinois Register](#). The new draft rules include changes from the Illinois Department of Agriculture (IDOA), the Illinois Department of Financial and Professional Regulation (IDFPR), the Illinois Department of Public Health (IDPH) and the Illinois Department of Revenue (IDOR), and will be available for an additional 45 days of public comment until the General Assembly's Joint Committee on Administrative Rules (JCAR) begins its review. The draft proposed rules have already been posted and available for comment on the [Medical Cannabis Pilot Program](#) website at [www.mcpp.illinois.gov](http://www.mcpp.illinois.gov) for more than 70 days. Over the past several months, the state has heard from people with chronic illnesses, business entrepreneurs, medical cannabis advocates, municipalities and others commenting on the draft proposed rules.

“We’ve ensured a transparent rulemaking process by offering the public a chance to weigh-in on the proposed medical cannabis rules, even before seeking legislative approval,” said Bob Morgan, IDPH General Counsel and statewide program coordinator. “The rules make sure Illinois has the nation’s strictest safeguards to prevent abuse, while offering relief and help to eligible patients to ease their suffering.”

“I applaud all four state agencies for their hard work in creating draft rules that form the basis for the best medical marijuana system in America,” said Rep. Lou Lang (D-Skokie), who sponsored the legislation. “I am pleased with the direction we are going.”

The following changes have been incorporated into the proposed rules filed today.

### **Cultivation Centers**

- While the Act calls for one cultivation center in each of the 22 Illinois State Police Districts statewide, District 15 is the Illinois Tollway system. Therefore, the proposed rules reflect that only 21 cultivation center licenses will be issued at this time. One entity can be awarded licenses for up to three cultivation centers.
- IDOA will inspect each facility at least weekly and live security camera video will feed to IDOA and to the Illinois State Police (ISP).

- The single-stage application process includes a \$25,000 non-refundable application fee, proof of \$500,000 in liquid assets and documentation satisfying selection and optional bonus criteria. Applications will be scored by a team selected by IDOA.

### **Dispensaries**

- The rules define residential zoning areas to address the dispensary location concerns of some cities and counties. IDFPR will permit up to 60 dispensaries around the state. One entity can receive permits in up to five districts.
- The two-stage application process includes a \$5,000 non-refundable application fee, proof of \$400,000 in liquid assets and documentation satisfying selection and optional bonus criteria. Applications will be scored by a team selected by IDFPR.

### **Patients and Caregivers**

- Reduced registration fees are \$100 for eligible patients; \$50 for eligible patients on Social Security Insurance and Social Security Disability Insurance, as well as veterans; and \$25 for caregivers.
- Previous language regarding Firearm Owners Identification (FOID) cards and medical cannabis identification cards has been removed. The State is continuing to examine how the State's medical cannabis and firearm laws may interact with federal firearm laws.
- An expanded 15-member Medical Cannabis Advisory Committee, which adds qualifying patients (including a veteran), a health care provider with general practice experience and nurses or nurse practitioners with experience working with medical cannabis patients, will review petitions to recommend adding qualifying medical conditions twice each year.
- The rules clarify physician written certification language and pre-operation cultivation center inspections.

### **Taxes**

- Cultivators will pay a 7 percent privilege tax on sales to dispensaries and patients/caregivers will pay a 1 percent sales tax.

Sandy Champion, wife of veteran Jim Champion of the 101st Airborne who was struck with multiple sclerosis, said the state has worked hard and diligently in drafting the proposed rules. “Jim and I are pleased with the changes to the proposed rules, especially with the reduction in patient and caregiver fees, and the addition of veterans. We are also pleased that the Medical Cannabis Advisory Committee has been expanded to include more patients, as well as a veteran.”

“While the Marijuana Policy Project will continue to suggest comments and changes to improve the pilot program, we applaud several significant improvements in the departments’ proposed rules, including a lower application fee for seriously ill patients,” said Chris Lindsey, a legislative analyst with the Marijuana Policy Project.

JCAR follows a 2-step process that generally lasts for a minimum of 90 days. Both the general public and the General Assembly, through JCAR, have the chance to offer input prior to the rules being adoption. For more information on the [JCAR rule making process](#), visit <http://www.ilga.gov/commission/Jcar/>. View the rules at [www.mcpp.illinois.gov](http://www.mcpp.illinois.gov).