

On December 27, 2021, Governor Whitmer signed Public Act 160 of 2021 and Public Act 161 of 2021, which amend the proof of financial responsibility insurance requirements for applicants and licensees under the Medical Marijuana Facilities Licensing Act (MMFLA).

Specifically, state law now requires the following:

- The insurance policy is issued by a licensed insurance company or licensed captive insurance company in this state.
- The insurance policy does not include a provision relieving an insurer from liability for payment of any claim for which the insured may be held liable under the act.
- The insurance policy covers bodily injuries to a qualifying patient, including those caused by the intentional conduct of the licensee or its employee or agent. However, the policy would not have to cover bodily injuries to qualifying patients caused by the licensee or its employee or agent when acting with the intent to harm.

Full text of the laws can be seen at the following links, [PA 160](#) and [PA 161](#). Adult-use licensees continue to be subject to requirements in Rule 10 of the Marijuana Licenses rule set – [R 420.10](#).

The Marijuana Regulatory Agency (MRA) will be amending attestations for initial application and renewal applications to comply with this law change. The MRA will send out a notification communicating when the changes are published to the website. As always applicants and licensees are encouraged to obtain applications and forms directly from the website to ensure they are using the most up to date materials.