



New York Moves Ahead With Recreational Legalization of Marijuana and Expansion of Medical Marijuana Program

Cona Elder Law PLLC

Though New York passed the Marijuana Regulation & Taxation Act (MRTA) on March 31, 2021, the state has since been slow to develop and share its plan to roll out the legalization of recreational marijuana and expansion of the medical marijuana program called for under the MRTA. On October 5, 2021, the first public meeting of the state's Cannabis Control Board was held, providing some long-awaited insight into the details of the roll out and important updates regarding the state's medical marijuana program. Effective immediately, the following changes to the state's medical marijuana program were announced:

- Any practitioner who has a license to prescribe a controlled substance is now permitted to certify a patient for medical marijuana use. This will make it easier for patients to obtain a medical marijuana certification from any of their doctors or licensed medical providers, rather than only certain practitioners.
- Flower is now a permitted substance for use in medical marijuana treatment, allowing medical marijuana treatment to be administered to patients in edible form. This will make medical marijuana treatment less expensive for manufacturers to produce, and more affordable for patients to purchase.
- Oversight of the state's medical marijuana program will transition from the New York State Department of Health to the newly created New York State Office of Cannabis Management.
- The Cannabis Control Board has committed to providing regular updates to certified patients and practitioners regarding the ongoing expansion of the medical marijuana program under the MRTA.

In the coming months, the Cannabis Control Board anticipates developing and sharing further guidance as to what the future of recreational marijuana and the expansion of the medical marijuana program in New York will look like under the MRTA.

The experienced attorneys at Cona Elder Law can assist you in ensuring your health care facility's ongoing compliance with the changing rules regarding New York's medical marijuana and recreational marijuana program for residents and staff. Please contact us for your free virtual "Best Practices" seminar specifically for LeadingAge New York members. Contact Christina Pecoraro at 631.390.5000 or cpecoraro@conalaw.com to schedule yours today.

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