



497464

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: NC/2R

.

05/04/2017 05:58 PM

.

.

---

Senator Rouson moved the following:

1           **Senate Amendment to Amendment (467840) (with title**  
2 **amendment)**

3  
4           Delete lines 478 - 516  
5 and insert:

6           (a) The department shall issue physical or electronic  
7 medical marijuana use registry identification cards for  
8 qualified patients and caregivers who are residents of this  
9 state, which must be renewed annually. The department may charge  
10 a reasonable fee associated with the issuance and renewal of  
11 identification cards. The fee may not exceed \$75. Of each



497464

12 issuance or renewal fee, the department shall allocate \$10 to  
13 the Division of Research at Florida Agricultural and Mechanical  
14 University for the purpose of educating minorities about  
15 marijuana for medical use and the impact of the unlawful use of  
16 marijuana on minority communities. The identification cards must  
17 be resistant to counterfeiting and tampering and must include,  
18 at a minimum, the following:

19 1. The name, address, and date of birth of the qualified  
20 patient or caregiver.

21 2. A full-face, passport-type, color photograph of the  
22 qualified patient or caregiver taken within the 90 days  
23 immediately preceding registration or the Florida driver license  
24 or Florida identification card photograph of the qualified  
25 patient or caregiver obtained directly from the Department of  
26 Highway Safety and Motor Vehicles.

27 3. Designation of the cardholder as a qualified patient or  
28 a caregiver.

29 4. The unique numeric identifier used for the qualified  
30 patient in the medical marijuana use registry.

31 5. For a caregiver, the name and unique numeric identifier  
32 of the caregiver and the qualified patient or patients that the  
33 caregiver is assisting.

34 6. The expiration date of the identification card.

35 (b) Electronic identification cards must comply with the  
36 Health Insurance Portability and Accountability Act (HIPAA) as  
37 it pertains to protected health information and all other  
38 relevant state and federal privacy and security laws and  
39 regulations. Such electronic cards must:

40 1. Contain the technology to automatically expire and be



41 remotely terminated by the department;

42 2. Collect timestamped, geotagged data to be uploaded in  
43 real time into the compassionate use registry; and

44 3. Maintain compatibility with smartphone and web-based  
45 platforms.

46 (c) The department must receive written consent from a  
47 qualified patient's parent or legal guardian before it may issue  
48 an identification card to a qualified patient who is a minor.

49 (d) The department shall, by July 3, 2017, adopt rules  
50 pursuant to ss. 120.536(1) and 120.54 establishing procedures  
51 for the issuance, renewal, suspension, replacement, surrender,  
52 and revocation of medical marijuana use registry identification  
53 cards and shall begin issuing qualified patient identification  
54 cards by October 3, 2017.

55 (e) Applications for identification cards must be submitted  
56 on a form prescribed by the department. The department may  
57 charge a reasonable fee associated with the issuance,  
58 replacement, and renewal of identification cards. The department  
59 may contract with a third-party vendor to issue identification  
60 cards. The vendor selected by the department must have  
61 experience performing similar functions for other state  
62 agencies.

63 (f) A qualified patient or caregiver must return his or

64  
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete line 1892

68 and insert:

69 cards; authorizing the department to charge a fee for



70 identification cards; requiring the department to  
71 issue licenses to a