



880698

LEGISLATIVE ACTION

Senate

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House

Floor: 3c/RE/2R

05/04/2017 09:23 PM

Senator Rouson moved the following:

1 **Senate Amendment to Amendment (709986) (with title**
2 **amendment)**

3
4 Delete lines 466 - 504

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



880698

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 her

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 1883

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