

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Professions & Public
 2 Health Subcommittee

3 Representative Rayner offered the following:

4

5 **Amendment (with directory and title amendments)**

6 Between lines 107 and 108, insert:

7 (4) PHYSICIAN CERTIFICATION.—

8 (a) A qualified physician may issue a physician
 9 certification only if the qualified physician:

- 10 1. Conducted a physical examination for the initial
 11 patient visit while physically present in the same room as the
 12 patient and a full assessment of the medical history of the
 13 patient. Telehealth may be used to issue a physician
 14 certification for an existing qualified patient with an existing
 15 certification that was issued by that qualified physician

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16 without the need to conduct a physical examination while
17 physically present in the same room as the patient.

18 2. Diagnosed the patient with at least one qualifying
19 medical condition.

20 3. Determined that the medical use of marijuana would
21 likely outweigh the potential health risks for the patient, and
22 such determination must be documented in the patient's medical
23 record. If a patient is younger than 18 years of age, a second
24 physician must concur with this determination, and such
25 concurrence must be documented in the patient's medical record.

26 4. Determined whether the patient is pregnant and
27 documented such determination in the patient's medical record. A
28 physician may not issue a physician certification, except for
29 low-THC cannabis, to a patient who is pregnant.

30 5. Reviewed the patient's controlled drug prescription
31 history in the prescription drug monitoring program database
32 established pursuant to s. 893.055.

33 6. Reviews the medical marijuana use registry and
34 confirmed that the patient does not have an active physician
35 certification from another qualified physician.

36 7. Registers as the issuer of the physician certification
37 for the named qualified patient on the medical marijuana use
38 registry in an electronic manner determined by the department,
39 and:

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40 a. Enters into the registry the contents of the physician
41 certification, including the patient's qualifying condition and
42 the dosage not to exceed the daily dose amount determined by the
43 department, the amount and forms of marijuana authorized for the
44 patient, and any types of marijuana delivery devices needed by
45 the patient for the medical use of marijuana.

46 b. Updates the registry within 7 days after any change is
47 made to the original physician certification to reflect such
48 change.

49 c. Deactivates the registration of the qualified patient
50 and the patient's caregiver when the physician no longer
51 recommends the medical use of marijuana for the patient.

52 8. Obtains the voluntary and informed written consent of
53 the patient for medical use of marijuana each time the qualified
54 physician issues a physician certification for the patient,
55 which shall be maintained in the patient's medical record. The
56 patient, or the patient's parent or legal guardian if the
57 patient is a minor, must sign the informed consent acknowledging
58 that the qualified physician has sufficiently explained its
59 content. The qualified physician must use a standardized
60 informed consent form adopted in rule by the Board of Medicine
61 and the Board of Osteopathic Medicine, which must include, at a
62 minimum, information related to:

63 a. The Federal Government's classification of marijuana as
64 a Schedule I controlled substance.

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65 b. The approval and oversight status of marijuana by the
66 Food and Drug Administration.

67 c. The current state of research on the efficacy of
68 marijuana to treat the qualifying conditions set forth in this
69 section.

70 d. The potential for addiction.

71 e. The potential effect that marijuana may have on a
72 patient's coordination, motor skills, and cognition, including a
73 warning against operating heavy machinery, operating a motor
74 vehicle, or engaging in activities that require a person to be
75 alert or respond quickly.

76 f. The potential side effects of marijuana use, including
77 the negative health risks associated with smoking marijuana.

78 g. The risks, benefits, and drug interactions of
79 marijuana.

80 h. That the patient's de-identified health information
81 contained in the physician certification and medical marijuana
82 use registry may be used for research purposes.

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D I R E C T O R Y A M E N D M E N T

85 Remove line 55 and insert:
86 subsection (3), paragraph (a) of subsection (4), and paragraphs
87 (e) and (h) of subsection (8) are
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T I T L E A M E N D M E N T

Remove line 4 and insert:
definition; revising and providing conditions for a
qualified physician to issue a physician
certification; prohibiting qualified physicians from