

By Senator Brandes

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1 A bill to be entitled

2 An act relating to physician certifications for the
3 medical use of marijuana; amending s. 381.986, F.S.;
4 increasing the number of consecutive supply limits of
5 marijuana a qualified physician may issue in his or
6 her physician certification for the medical use of
7 marijuana; providing a higher supply limit for certain
8 disabled qualified patients; revising the frequency
9 with which qualified physicians must evaluate existing
10 qualified patients for a physician certification for
11 the medical use of marijuana; providing an effective
12 date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraphs (f) and (g) of subsection (4) of
17 section 381.986, Florida Statutes, are amended to read:

18 381.986 Medical use of marijuana.—

19 (4) PHYSICIAN CERTIFICATION.—

20 (f) A qualified physician may not issue a physician
21 certification for more than five ~~three~~ 70-day supply limits of
22 marijuana or more than ten ~~six~~ 35-day supply limits of marijuana
23 in a form for smoking. If the qualified patient is a service-
24 disabled veteran as defined in s. 295.187(3) or a totally and
25 permanently disabled person as defined in s. 196.012(11), a
26 qualified physician may not issue a physician certification for
27 more than ten 70-day supply limits of marijuana or more than
28 twenty 35-day supply limits of marijuana in a form for smoking.
29 The department shall quantify by rule a daily dose amount with

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30 equivalent dose amounts for each allowable form of marijuana
31 dispensed by a medical marijuana treatment center. The
32 department shall use the daily dose amount to calculate a 70-day
33 supply.

34 1. A qualified physician may request an exception to the
35 daily dose amount limit, the 35-day supply limit of marijuana in
36 a form for smoking, and the 4-ounce possession limit of
37 marijuana in a form for smoking established in paragraph
38 (14) (a). The request shall be made electronically on a form
39 adopted by the department in rule and must include, at a
40 minimum:

41 a. The qualified patient's qualifying medical condition.

42 b. The dosage and route of administration that was
43 insufficient to provide relief to the qualified patient.

44 c. A description of how the patient will benefit from an
45 increased amount.

46 d. The minimum daily dose amount of marijuana that would be
47 sufficient for the treatment of the qualified patient's
48 qualifying medical condition.

49 2. A qualified physician must provide the qualified
50 patient's records upon the request of the department.

51 3. The department shall approve or disapprove the request
52 within 14 days after receipt of the complete documentation
53 required by this paragraph. The request shall be deemed approved
54 if the department fails to act within this time period.

55 (g) A qualified physician must evaluate an existing
56 qualified patient at least once every 52 ~~30~~ weeks, or at least
57 once every 104 weeks if the qualified patient is a service-
58 disabled veteran as defined in s. 295.187(3) or a totally and

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59 permanently disabled person as defined in s. 196.012(11), before
60 issuing a new physician certification. A physician must:

61 1. Determine if the patient still meets the requirements to
62 be issued a physician certification under paragraph (a).

63 2. Identify and document in the qualified patient's medical
64 records whether the qualified patient experienced either of the
65 following related to the medical use of marijuana:

66 a. An adverse drug interaction with any prescription or
67 nonprescription medication; or

68 b. A reduction in the use of, or dependence on, other types
69 of controlled substances as defined in s. 893.02.

70 3. Submit a report with the findings required pursuant to
71 subparagraph 2. to the department. The department shall submit
72 such reports to the Consortium for Medical Marijuana Clinical
73 Outcomes Research established pursuant to s. 1004.4351.

74 Section 2. This act shall take effect July 1, 2021.