

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 supply limits of marijuana a  
5 qualified physician may issue in a single physician  
6 certification for the medical use of marijuana;  
7 providing a higher supply limit for certain disabled  
8 qualified patients; revising the frequency with which  
9 qualified physicians must evaluate existing qualified  
10 patients for a physician certification for the medical  
11 use of marijuana; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Paragraphs (f) and (g) of subsection (4) of  
16 section 381.986, Florida Statutes, are amended to read:

17 381.986 Medical use of marijuana.—

18 (4) PHYSICIAN CERTIFICATION.—

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

28 The department shall quantify by rule a daily dose amount with  
29 equivalent dose amounts for each allowable form of marijuana

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30 dispensed by a medical marijuana treatment center. The  
31 department shall use the daily dose amount to calculate a 70-day  
32 supply.

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

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

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

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

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

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

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

54 (g) A qualified physician must evaluate an existing  
55 qualified patient at least once every 52 ~~30~~ weeks, or at least  
56 once every 104 weeks if the qualified patient is a service-  
57 disabled veteran as defined in s. 295.187(3) or a totally and  
58 permanently disabled person as defined in s. 196.012(11), before

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59 issuing a new physician certification. A physician must:

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

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

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

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

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

73 Section 2. This act shall take effect July 1, 2022.