

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Learned offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 167 and 168, insert:

5 (4) PHYSICIAN CERTIFICATION.—

6 (a) A qualified physician may issue a physician
7 certification only if the qualified physician:

8 1. Conducted a physical examination while physically
9 present in the same room as the patient and a full assessment of
10 the medical history of the patient. For an initial
11 certification, the examination must be a physical examination
12 conducted while physically present in the same room as the
13 patient.

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14 2. Diagnosed the patient with at least one qualifying
15 medical condition.

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

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

26 5. Reviewed the patient's controlled drug prescription
27 history in the prescription drug monitoring program database
28 established pursuant to s. 893.055.

29 6. Reviews the medical marijuana use registry and
30 confirmed that the patient does not have an active physician
31 certification from another qualified physician.

32 7. Registers as the issuer of the physician certification
33 for the named qualified patient on the medical marijuana use
34 registry in an electronic manner determined by the department,
35 and:

36 a. Enters into the registry the contents of the physician
37 certification, including the patient's qualifying condition and
38 the dosage not to exceed the daily dose amount determined by the

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39 department, the amount and forms of marijuana authorized for the
40 patient, and any types of marijuana delivery devices needed by
41 the patient for the medical use of marijuana.

42 b. Updates the registry within 7 days after any change is
43 made to the original physician certification to reflect such
44 change.

45 c. Deactivates the registration of the qualified patient
46 and the patient's caregiver when the physician no longer
47 recommends the medical use of marijuana for the patient.

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

59 a. The Federal Government's classification of marijuana as
60 a Schedule I controlled substance.

61 b. The approval and oversight status of marijuana by the
62 Food and Drug Administration.

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63 c. The current state of research on the efficacy of
64 marijuana to treat the qualifying conditions set forth in this
65 section.

66 d. The potential for addiction.

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

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

74 g. The risks, benefits, and drug interactions of
75 marijuana.

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

79 (g) A qualified physician must evaluate an existing
80 qualified patient at least once every 8 months ~~30 weeks~~ before
81 issuing a new physician certification for the renewal of an
82 identification card. The evaluation may be conducted through
83 telehealth as defined in s. 456.47. A physician must:

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

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86 2. Identify and document in the qualified patient's
87 medical records whether the qualified patient experienced either
88 of the following related to the medical use of marijuana:

89 a. An adverse drug interaction with any prescription or
90 nonprescription medication; or

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

93 3. Submit a report with the findings required pursuant to
94 subparagraph 2. to the department. The department shall submit
95 such reports to the Consortium for Medical Marijuana Clinical
96 Outcomes Research established pursuant to s. 1004.4351.

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98
99 -----
100 **D I R E C T O R Y A M E N D M E N T**

101 Remove lines 165-166 and insert:
102 paragraphs (a) and (g) of subsection (4) and paragraph (a) of
103 subsection (8) of section 381.986, Florida 166 Statutes, are
104 amended to read:

105
106 -----
107 **T I T L E A M E N D M E N T**

108 Remove line 19 and insert:
109 shelters; amending s. 381.986, F.S.; requiring a
110 qualified physician to conduct a physical examination

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111 | of each new patient; requiring a qualified physician
112 | to evaluate existing qualified patients every 8 months
113 | before issuing a new physician certification for the
114 | renewal of an identification card; authorizing such
115 | evaluations to be conducted through telehealth;
116 | authorizing

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