

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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**BILL #:** [CS/HB 555](#)

**TITLE:** Marijuana

**SPONSOR(S):** Andrade

**COMPANION BILL:** [SB 552](#) (Gruters)

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Health Professions & Programs](#)

16 Y, 0 N, As CS



[Health & Human Services](#)

21 Y, 0 N

## SUMMARY

### Effect of the Bill:

The bill exempts an individual who can prove their status as an honorably discharged veteran from the medical marijuana use registry identification card fee. The bill also extends the period of time for renewal of marijuana use registry identification cards from annually to biennially.

### Fiscal or Economic Impact:

The bill has an indeterminate, negative fiscal impact on the Department of Health and no fiscal impact local government.

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## ANALYSIS

### **EFFECT OF THE BILL:**

A patient must have a valid medical marijuana use registry identification card to obtain medical marijuana and medical marijuana delivery devices from a medical marijuana treatment center. A patient must apply to the Office of Medical Marijuana Use (OMMU), within Department of Health (DOH), to obtain a medical marijuana use registry identification card. OMMU is statutorily authorized to charge a reasonable fee associated with the issuance, replacement, and renewal of identification cards. Pursuant to Rule 64-4.011 (5), F.A.C., the annual application fee is \$75 and OMMU does not currently offer a reduction or waiver of this fee. As of April 11, 2025, there were 909,711 qualified patients with active medical marijuana use registry identification cards.

Florida is home to 21 military installations and 69,290 military personnel. Florida also has the nation's third-largest veteran population with more than 1.4 million veterans. Many of these veterans are recently transitioned servicemembers.

The bill exempts an individual who can prove their status as an honorably discharged veteran from the \$75 medical marijuana use registry identification card fee. The number of veterans who hold active medical marijuana use registry identification cards is unknown however, OMMU will no longer be able to collect fees from these patients.

The bill also requires patients to renew their marijuana use registry identification cards biennially rather than annually, as required by current law. This will result in a reduction in the frequency of how often a patient must renew their marijuana use registry identification card; however, this will not necessarily reduce the cost for the card. For example, OMMU may amend Rule 64-4.011, F.A.C., to increase the marijuana use registry identification card fee to \$150 based upon the biennial issuance of the card.

### **FISCAL OR ECONOMIC IMPACT:**

**STORAGE NAME:** h0555b.HHS

**DATE:** 4/15/2025

## STATE GOVERNMENT:

The bill has an indeterminate, negative fiscal impact on DOH. Currently, there are 909,711 qualified patients with active medical marijuana use registry identification cards. OMMU is statutorily authorized to charge a reasonable fee associated with the issuance, replacement, and renewal of identification cards.<sup>1</sup> Pursuant to Rule 64-4.011 (5), F.A.C., the annual identification card fee is \$75. If DOH utilizes its statutory authority to make the biennial fee \$150, there will be no revenue reduction under this bill provision. If DOH does not align the fee with the biennial issuance of the identification card, DOH will incur a \$34,114,162 revenue loss. The number of veterans who hold active medical marijuana use registry identification cards is unknown; therefore, the amount of revenue reduction is unknown.

## PRIVATE SECTOR:

The bill will have a positive fiscal impact on veterans who will not be required to pay the annual \$75 identification card fee.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Marijuana for Medical Use

Section [381.986, F.S.](#), authorizes patients with any of the following debilitating medical conditions to obtain medical marijuana from Medical Marijuana Treatment Centers (MMTC):

- Cancer
- Epilepsy
- Glaucoma
- Positive status for human immunodeficiency virus
- Acquired immune deficiency syndrome
- Post-traumatic stress disorder
- Amyotrophic lateral sclerosis
- Crohn's disease
- Parkinson's disease
- Multiple sclerosis
- Medical conditions of the same kind or class as or comparable to those enumerated above

To obtain marijuana for medical use from a MMTC, and maintain the immunity from criminal prosecution, a patient must obtain a physician certification from a qualified physician<sup>2</sup> and an identification card from the Office of Medical Marijuana Use (OMMU).

#### *Physician Certification*

To certify a patient for medical use of marijuana, a qualified physician must conduct a physical examination of the patient and determine that the patient has a qualifying medical condition and that medical marijuana would likely outweigh the health risks to the patient.<sup>3</sup> A qualified physician must be physically present in the same room when conducting the initial examination on a qualified patient.<sup>4</sup> The physician must evaluate an existing patient at least once every 30 weeks before issuing a renewal physician certification.<sup>5</sup> Under current law, the physician must

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<sup>1</sup> S. [381.986\(7\)\(d\), F.S.](#)

<sup>2</sup> To certify patients for medical use of marijuana, a physician must hold an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and comply with certain physician education requirements. See [ss. 381.986\(1\)\(m\), F.S.](#) and [381.986\(3\)\(a\), F.S.](#)

<sup>3</sup> S. [381.986, F.S.](#)

<sup>4</sup> S. [381.986\(a\), F.S.](#)

<sup>5</sup> S. [381.986\(4\)\(g\), F.S.](#)

conduct the in-person<sup>6</sup> physical examination of the patient to issue the initial certification and may conduct any subsequent examinations for renewal certifications through telehealth.<sup>7</sup>

After diagnosing a patient with a qualifying condition, a qualified physician must review and enter certain data into the medical marijuana use registry. The physician must review the medical marijuana use registry and confirm that the patient does not have an active physician certification from another qualified physician.<sup>8</sup> The physician must then register as the issuer of the physician certification for the named qualified patient in the medical marijuana use registry and enter into the registry the contents of the physician certification, including the patient's qualifying condition, the dosage, the amount and forms of marijuana authorized, and any types of marijuana delivery devices needed by the patient.<sup>9</sup>

### *Medical Marijuana Use Registry Identification Card*

A qualified patient must have a physician certification in the medical marijuana use registry and have a valid medical marijuana use registry identification card to obtain medical marijuana and medical marijuana delivery devices from a MMTTC. OMMU must issue medical marijuana use registry identification cards to qualified patients and caregivers who are residents of this state. The identification cards must be resistant to counterfeiting and tampering and must include, at a minimum, the following:

- The name, address, and date of birth of the qualified patient or caregiver;
- A full-face, passport-type, color photograph of the qualified patient or caregiver taken within the 90 days immediately preceding registration or the Florida driver license or Florida identification card photograph of the qualified patient or caregiver obtained directly from the Department of Highway Safety and Motor Vehicles;
- Identification as a qualified patient or a caregiver;
- The unique numeric identifier used for the qualified patient in the medical marijuana use registry;
- For a caregiver, the name and unique numeric identifier of the caregiver and the qualified patient or patients that the caregiver is assisting; and
- The expiration date of the identification card.

As of April 11, 2025, there were 909,711 qualified patients with active medical marijuana use registry identification cards.<sup>10</sup> The Office of Medical Marijuana Use (OMMU) processes applications for identification cards within 5 business days of receipt of a complete application. OMMU is statutorily authorized to charge a reasonable fee associated with the issuance, replacement, and renewal of identification cards.<sup>11</sup> Pursuant to Rule 64-4.011 (5), F.A.C., the annual application fee is \$75 and OMMU does not currently offer a reduction or waiver of this fee.

### Veterans

Florida is home to 21 military installations<sup>12</sup> and 69,290 military personnel.<sup>13</sup> Florida also has the nation's third-largest veteran<sup>14</sup> population with almost 1.4 million veterans.<sup>15</sup> Many of these veterans are recently transitioned servicemembers.

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<sup>6</sup> This means that the physician must be physically present and in the same room as the patient. S. 381.986(4)(a)1, F.S.

<sup>7</sup> S. 381.986, F.S.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Office of Medical Marijuana Use Weekly Updates, April 11, 2025*, DOH, Office of Medical Marijuana Use, available at [https://knowthefactsmmj.com/wp-content/uploads/ommu\\_updates/2025/032825-OMMU-Update.pdf](https://knowthefactsmmj.com/wp-content/uploads/ommu_updates/2025/032825-OMMU-Update.pdf) (last visited on April 13, 2025).

<sup>11</sup> S. 381.986(7)(d), F.S.

<sup>12</sup> Select Florida, *Defense & Homeland Security*, 2, <https://selectflorida.org/wp-content/uploads/defense-and-homeland-security-industry-profile.pdf> (last visited April 13, 2025).

<sup>13</sup> Data from September 2021. Florida Military & Defense, *Economic Impact Summary* (2022), 2, available at <https://selectflorida.org/wp-content/uploads/Florida-2022-EIS-Summary-Book-Final.pdf> (last visited April 13, 2025).

<sup>14</sup> [s. 1.01\(14\), F.S.](#), defines a "veteran" as a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions, or who later received an upgraded discharge under honorable conditions. The definition in [s. 1.01\(14\), F.S.](#), is cited in numerous statutes, including [ss. 117.02, F.S.](#), [265.003, F.S.](#), [292.055, F.S.](#), [295.02, F.S.](#), [295.07, F.S.](#), [295.187, F.S.](#), [295.188, F.S.](#), [296.02, F.S.](#), [296.08, F.S.](#), [296.33, F.S.](#), [296.36, F.S.](#), [409.1664, F.S.](#), [548.06, F.S.](#), [943.17, F.S.](#), and [1009.26, F.S.](#)

The U.S. Department of Veterans Affairs has issued informational guidance for the use of medical marijuana by veterans:<sup>16</sup>

- Veterans will not be denied VA benefits because of marijuana use.
- Veterans are encouraged to discuss marijuana use with their VA providers.
- VA health care providers will record marijuana use in the Veteran's VA medical record in order to have the information available in treatment planning. As with all clinical information, this is part of the confidential medical record and protected under patient privacy and confidentiality laws and regulations.
- VA clinicians may not recommend medical marijuana.
- VA clinicians may only prescribe medications that have been approved by the U.S. Food and Drug Administration (FDA) for medical use. At present most products containing tetrahydrocannabinol (THC), cannabidiol (CBD), or other cannabinoids are not approved for this purpose by the FDA.
- VA clinicians may not complete paperwork/forms required for Veteran patients to participate in state-approved marijuana programs.
- VA pharmacies may not fill prescriptions for medical marijuana.
- VA will not pay for medical marijuana prescriptions from any source.
- VA scientists may conduct research on marijuana benefits and risks, and potential for abuse, under regulatory approval.
- The use or possession of marijuana is prohibited at all VA medical centers, locations and grounds. When you are on VA grounds it is federal law that is in force, not the laws of the state.
- Veterans who are VA employees are subject to drug testing under the terms of employment.

The number of veterans who hold active medical marijuana use registry identification cards is currently unknown.

### BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Health Professions &amp; Programs Subcommittee</a>	16 Y, 0 N, As CS	4/3/2025	McElroy	McElroy
THE CHANGES ADOPTED BY THE COMMITTEE: <a href="#">Click or tap here to enter text.</a>				
<a href="#">Health &amp; Human Services Committee</a>	21 Y, 0 N	4/15/2025	Calamas	McElroy

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>15</sup> U.S. Department of Veterans Affairs (VA), National Center for Veterans Analysis and Statistics, *VetPop2020 by State, Age Group, Gender, 2020-2050*, available at [https://www.va.gov/vetdata/veteran\\_population.asp](https://www.va.gov/vetdata/veteran_population.asp) (last visited April 13, 2025). The Veteran Population Projection Model 2020 (VetPop2020) provides an official veteran population projection from the U.S. Department of Veterans Affairs.

<sup>16</sup> *VA and Marijuana – What Veterans need to know*, U.S. Department of Veterans Affairs, <https://www.publichealth.va.gov/marijuana.asp> (last visited on April 13, 2025).