

By Senator Calatayud

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A bill to be entitled
An act relating to medical marijuana; amending s.
381.986, F.S.; increasing the number of supply limits
of marijuana which a qualified physician may issue in
a single physician certification for the medical use
of marijuana; revising the frequency with which
qualified physicians must evaluate existing qualified
patients for a physician certification for the medical
use of marijuana; revising the frequency with which
qualified patient and caregiver identification cards
must be renewed, from annually to biennially;
requiring the Department of Health to waive all fees
associated with identification cards for certain
veterans of the United States Armed Forces; providing
an effective date.

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

Section 1. Paragraphs (f) and (g) of subsection (4) and
paragraphs (a) and (d) of subsection (7) of section 381.986,
Florida Statutes, are amended to read:

381.986 Medical use of marijuana.—

(4) PHYSICIAN CERTIFICATION.—

(f) A qualified physician may not issue a physician
certification for more than ten ~~three~~ 70-day supply limits of
marijuana or more than twenty ~~six~~ 35-day supply limits of
marijuana in a form for smoking. The department shall quantify
by rule a daily dose amount with equivalent dose amounts for
each allowable form of marijuana dispensed by a medical

38-00755A-26

20261032__

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

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

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

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

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

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

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

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

53 (g) A qualified physician must evaluate an existing
54 qualified patient at least once every 104 ~~30~~ weeks before
55 issuing a new physician certification. A qualified physician who
56 has issued a certification to the patient after conducting an
57 in-person physical examination as defined in subparagraph (a)1.
58 may conduct the evaluation through telehealth as defined in s.

38-00755A-26

20261032__

456.47. A physician must:

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

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

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

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

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

(7) IDENTIFICATION CARDS.—

(a) The department shall issue medical marijuana use registry identification cards for qualified patients and caregivers who are residents of this state, which must be renewed biennially ~~annually~~. The identification cards must be resistant to counterfeiting and tampering and must include, at a minimum, the following:

1. The name, address, and date of birth of the qualified patient or caregiver.

2. 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

38-00755A-26

20261032__

88 Highway Safety and Motor Vehicles.

89 3. Identification as a qualified patient or a caregiver.

90 4. The unique numeric identifier used for the qualified
91 patient in the medical marijuana use registry.

92 5. For a caregiver, the name and unique numeric identifier
93 of the caregiver and the qualified patient or patients that the
94 caregiver is assisting.

95 6. The expiration date of the identification card.

96 (d) Applications for identification cards must be submitted
97 on a form prescribed by the department. The department may
98 charge a reasonable fee associated with the issuance,
99 replacement, and renewal of identification cards. However, the
100 department shall waive all such fees for any veteran who was
101 honorably discharged from the United States Armed Forces. The
102 department shall allocate \$10 of the identification card fee to
103 the Division of Research at Florida Agricultural and Mechanical
104 University for the purpose of educating minorities about
105 marijuana for medical use and the impact of the unlawful use of
106 marijuana on minority communities. The department shall contract
107 with a third-party vendor to issue identification cards. The
108 vendor selected by the department must have experience
109 performing similar functions for other state agencies.

110 Section 2. This act shall take effect July 1, 2026.