

By the Committee on Health Policy; and Senator Calatayud

588-02787-26

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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; providing that the fee associated with identification cards for certain veterans of the United States Armed Forces may not exceed a specified amount; 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 paragraph (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 five ~~three~~ 70-day supply limits of marijuana or more than ten ~~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 marijuana treatment center. The department shall use the daily dose amount to calculate a 70-day supply.

1. A qualified physician may request an exception to the

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30 daily dose amount limit, the 35-day supply limit of marijuana in
31 a form for smoking, and the 4-ounce possession limit of
32 marijuana in a form for smoking established in paragraph
33 (14) (a). The request must ~~shall~~ be made electronically on a form
34 adopted by the department in rule and must include, at a
35 minimum:

- 36 a. The qualified patient's qualifying medical condition.
- 37 b. The dosage and route of administration that was
38 insufficient to provide relief to the qualified patient.
- 39 c. A description of how the patient will benefit from an
40 increased amount.
- 41 d. The minimum daily dose amount of marijuana that would be
42 sufficient for the treatment of the qualified patient's
43 qualifying medical condition.

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

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

50 (g) A qualified physician must evaluate an existing
51 qualified patient at least once every 52 30 weeks before issuing
52 a new physician certification. A qualified physician who has
53 issued a certification to the patient after conducting an in-
54 person physical examination as defined in subparagraph (a)1. may
55 conduct the evaluation through telehealth as defined in s.

56 456.47. A physician must:

57 1. Determine whether if the patient still meets the
58 requirements to be issued a physician certification under

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59 paragraph (a) .

60 2. Identify and document in the qualified patient's medical
61 records whether the qualified patient experienced either of the
62 following related to the medical use of marijuana:63 a. An adverse drug interaction with any prescription or
64 nonprescription medication; or
65 b. A reduction in the use of, or dependence on, other types
66 of controlled substances as defined in s. 893.02.67 3. Submit a report with the findings required pursuant to
68 subparagraph 2. to the department. The department shall submit
69 such reports to the Consortium for Medical Marijuana Clinical
70 Outcomes Research established pursuant to s. 1004.4351.

71 (7) IDENTIFICATION CARDS.—

72 (d) Applications for identification cards must be submitted
73 on a form prescribed by the department. The department may
74 charge a reasonable fee associated with the issuance,
75 replacement, and renewal of identification cards. The fee for
76 any veteran who was honorably discharged from the United States
77 Armed Forces may not exceed \$15. The department shall allocate
78 \$10 of the identification card fee to the Division of Research
79 at Florida Agricultural and Mechanical University for the
80 purpose of educating minorities about marijuana for medical use
81 and the impact of the unlawful use of marijuana on minority
82 communities. The department shall contract with a third-party
83 vendor to issue identification cards. The vendor selected by the
84 department must have experience performing similar functions for
85 other state agencies.

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