

By Senator Garcia

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1                                   A bill to be entitled  
2       An act relating to the Department of Health; amending  
3       s. 381.4019, F.S.; revising the definition of the term  
4       "dental health professional shortage area"; defining  
5       the term "low-income"; deleting the definition of the  
6       term "medically underserved area"; revising  
7       eligibility requirements for dentists and dental  
8       hygienists participating in the Dental Student Loan  
9       Repayment Program; amending s. 381.986, F.S.; revising  
10      the definition of the term "low-THC cannabis";  
11      revising requirements for department approval of  
12      qualified physicians and medical directors of medical  
13      marijuana treatment centers; deleting obsolete  
14      language; prohibiting medical marijuana treatment  
15      center cultivating, processing, or dispensing  
16      facilities from being located within a specified  
17      distance of parks, child care facilities, or  
18      facilities providing early learning services;  
19      authorizing counties and municipalities to approve a  
20      dispensing facility within such distance under certain  
21      circumstances; providing that the subsequent  
22      establishment of any park, child care facility, early  
23      learning facility, or school after the approval of a  
24      medical marijuana treatment center's cultivating,  
25      processing, or dispensing facility does not affect the  
26      continued operation or location of the approved  
27      cultivating, processing, or dispensing facility;  
28      exempting cultivating, processing, or dispensing  
29      facilities approved before a specified date from such

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30 distance requirements; amending s. 391.308, F.S.;

31 revising duties of the department in administering the

32 Early Steps Program; revising provisions related to

33 transitioning children from the Early Steps Program to

34 school district programs; amending s. 391.3081, F.S.;

35 revising provisions relating to the Early Steps

36 Extended Option to conform to changes made by the act;

37 amending s. 456.074, F.S.; requiring the department to

38 issue an emergency order suspending the license of a

39 health care practitioner arrested for committing or

40 attempting, soliciting, or conspiring to commit murder

41 in this state or another jurisdiction; amending s.

42 1004.551, F.S.; revising requirements for the micro-

43 credential component of specialized training provided

44 by the University of Florida Center for Autism and

45 Neurodevelopment; providing an effective date.

46

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

48

49 Section 1. Paragraphs (a) and (e) of subsection (1),

50 paragraphs (a) and (b) of subsection (2), and paragraph (b) of

51 subsection (4) of section 381.4019, Florida Statutes, are

52 amended to read:

53 381.4019 Dental Student Loan Repayment Program.—The Dental

54 Student Loan Repayment Program is established to support the

55 state Medicaid program and promote access to dental care by

56 supporting qualified dentists and dental hygienists who treat

57 medically underserved populations in dental health professional

58 shortage areas or medically underserved areas.

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59 (1) As used in this section, the term:

60 (a) "Dental health professional shortage area" means a  
61 geographic area, an area with a special population, or a  
62 facility designated as such by the Health Resources and Services  
63 Administration of the United States Department of Health and  
64 Human Services.

65 (e) "Low-income," with respect to a person, means a person  
66 who meets the criteria specified in s. 766.1115(3)(e) ~~"Medically~~  
67 ~~underserved area" means a geographic area, an area having a~~  
68 ~~special population, or a facility which is designated by~~  
69 ~~department rule as a health professional shortage area as~~  
70 ~~defined by federal regulation and which has a shortage of dental~~  
71 ~~health professionals who serve Medicaid recipients and other~~  
72 ~~low-income patients.~~

73 (2) The department shall establish a dental student loan  
74 repayment program to benefit Florida-licensed dentists and  
75 dental hygienists who:

76 (a) Demonstrate, as required by department rule, active  
77 employment in a public health program or private practice that  
78 serves ~~Medicaid recipients and other~~ low-income patients and is  
79 located in a dental health professional shortage area ~~or a~~  
80 ~~medically underserved area; and~~

81 (b) Volunteer 25 hours per year providing dental services  
82 in a free clinic that is located in a dental health professional  
83 shortage area ~~or a medically underserved area,~~ through another  
84 volunteer program operated under ~~by the state pursuant to part~~  
85 IV of chapter 110, or through a pro bono program approved by the  
86 Board of Dentistry. In order to meet the requirements of this  
87 paragraph, the volunteer hours must be verifiable in a manner

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88 determined by the department.

89 (4) A dentist or dental hygienist is not eligible to  
90 receive funds under the loan program if the dentist or dental  
91 hygienist:

92 (b) Ceases to provide services to low-income patients  
93 ~~participate in the Florida Medicaid program.~~

94 Section 2. Paragraph (f) of subsection (1), paragraphs (a)  
95 and (c) of subsection (3), paragraph (h) of subsection (4),  
96 paragraph (a) of subsection (8), and paragraphs (a) and (c) of  
97 subsection (11) of section 381.986, Florida Statutes, are  
98 amended to read:

99 381.986 Medical use of marijuana.—

100 (1) DEFINITIONS.—As used in this section, the term:

101 (f) "Low-THC cannabis" means a plant of the genus *Cannabis*,  
102 whether growing or not ~~the dried flowers of which contain 0.8~~  
103 ~~percent or less of tetrahydrocannabinol and more than 10 percent~~  
104 ~~of cannabidiol weight for weight; the seeds thereof; the resin~~  
105 ~~extracted from any part of such plant; and every or any~~  
106 ~~compound, manufacture, salt, derivative, mixture, or preparation~~  
107 ~~of such plant or its seeds or resin, excluding edibles; which~~  
108 contains 0.8 percent or less of tetrahydrocannabinol and 2  
109 percent cannabidiol, weight for weight, which ~~that~~ is dispensed  
110 from a medical marijuana treatment center.

111 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—

112 (a) Before being approved as a qualified physician ~~and~~  
113 ~~before each license renewal~~, a physician must successfully  
114 complete a 2-hour course and subsequent examination offered by  
115 the Florida Medical Association or the Florida Osteopathic  
116 Medical Association which encompass the requirements of this

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117 section and any rules adopted hereunder. Qualified physicians  
118 must renew the course certification biennially. The course and  
119 examination must be administered at least annually and may be  
120 offered in a distance learning format, including an electronic,  
121 online format that is available upon request. The price of the  
122 course may not exceed \$500.

123 (c) Before being employed as a medical director ~~and before~~  
124 ~~each license renewal,~~ a medical director must successfully  
125 complete a 2-hour course and subsequent examination offered by  
126 the Florida Medical Association or the Florida Osteopathic  
127 Medical Association which encompass the requirements of this  
128 section and any rules adopted hereunder. Medical directors must  
129 renew the course certification biennially. The course and  
130 examination must be administered at least annually and may be  
131 offered in a distance learning format, including an electronic,  
132 online format that is available upon request. The price of the  
133 course may not exceed \$500.

134 (4) PHYSICIAN CERTIFICATION.—

135 ~~(h) An active order for low-THC cannabis or medical~~  
136 ~~cannabis issued pursuant to former s. 381.986, Florida Statutes~~  
137 ~~2016, and registered with the compassionate use registry before~~  
138 ~~June 23, 2017, is deemed a physician certification, and all~~  
139 ~~patients possessing such orders are deemed qualified patients~~  
140 ~~until the department begins issuing medical marijuana use~~  
141 ~~registry identification cards.~~

142 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

143 (a) The department shall license medical marijuana  
144 treatment centers to ensure reasonable statewide accessibility  
145 and availability as necessary for qualified patients registered

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146 in the medical marijuana use registry and who are issued a  
147 physician certification under this section.

148 1. As soon as practicable, but no later than July 3, 2017,  
149 the department shall license as a medical marijuana treatment  
150 center any entity that holds an active, unrestricted license to  
151 cultivate, process, transport, and dispense low-THC cannabis,  
152 medical cannabis, and cannabis delivery devices, under former s.  
153 381.986, Florida Statutes 2016, before July 1, 2017, and which  
154 meets the requirements of this section. In addition to the  
155 authority granted under this section, these entities are  
156 authorized to dispense low-THC cannabis, medical cannabis, and  
157 cannabis delivery devices ordered pursuant to former s. 381.986,  
158 Florida Statutes 2016, ~~which were entered into the compassionate~~  
159 ~~use registry before July 1, 2017,~~ and are authorized to begin  
160 dispensing marijuana under this section on July 3, 2017. The  
161 department may grant variances from the representations made in  
162 such an entity's original application for approval under former  
163 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

164 2. The department shall license as medical marijuana  
165 treatment centers 10 applicants that meet the requirements of  
166 this section, under the following parameters:

167 a. As soon as practicable, but no later than August 1,  
168 2017, the department shall license any applicant whose  
169 application was reviewed, evaluated, and scored by the  
170 department and which was denied a dispensing organization  
171 license by the department under former s. 381.986, Florida  
172 Statutes 2014; which had one or more administrative or judicial  
173 challenges pending as of January 1, 2017, or had a final ranking  
174 within one point of the highest final ranking in its region

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175 under former s. 381.986, Florida Statutes 2014; which meets the  
176 requirements of this section; and which provides documentation  
177 to the department that it has the existing infrastructure and  
178 technical and technological ability to begin cultivating  
179 marijuana within 30 days after registration as a medical  
180 marijuana treatment center.

181 b. As soon as practicable, the department shall license one  
182 applicant that is a recognized class member of *Pigford v.*  
183 *Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers*  
184 *Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed  
185 under this sub-subparagraph is exempt from the requirement of  
186 subparagraph (b)2. An applicant that applies for licensure under  
187 this sub-subparagraph, pays its initial application fee, is  
188 determined by the department through the application process to  
189 qualify as a recognized class member, and is not awarded a  
190 license under this sub-subparagraph may transfer its initial  
191 application fee to one subsequent opportunity to apply for  
192 licensure under subparagraph 4.

193 c. As soon as practicable, but no later than October 3,  
194 2017, the department shall license applicants that meet the  
195 requirements of this section in sufficient numbers to result in  
196 10 total licenses issued under this subparagraph, while  
197 accounting for the number of licenses issued under sub-  
198 subparagraphs a. and b.

199 3. For up to two of the licenses issued under subparagraph  
200 2., the department shall give preference to applicants that  
201 demonstrate in their applications that they own one or more  
202 facilities that are, or were, used for the canning,  
203 concentrating, or otherwise processing of citrus fruit or citrus

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204 molasses and will use or convert the facility or facilities for  
205 the processing of marijuana.

206 4. Within 6 months after the registration of 100,000 active  
207 qualified patients in the medical marijuana use registry, the  
208 department shall license four additional medical marijuana  
209 treatment centers that meet the requirements of this section.  
210 Thereafter, the department shall license four medical marijuana  
211 treatment centers within 6 months after the registration of each  
212 additional 100,000 active qualified patients in the medical  
213 marijuana use registry that meet the requirements of this  
214 section.

215 (11) PREEMPTION.—Regulation of cultivation, processing, and  
216 delivery of marijuana by medical marijuana treatment centers is  
217 preempted to the state except as provided in this subsection.

218 (a) A medical marijuana treatment center cultivating or  
219 processing facility may not be located within 500 feet of the  
220 real property that comprises a park as defined in s. 775.215(1),  
221 a child care facility as defined in s. 402.302, a facility that  
222 provides early learning services as specified in s. 1000.04(1),  
223 or a public or private elementary school, middle school, or  
224 secondary school. The subsequent establishment of any such park,  
225 child care facility, early learning facility, or school after  
226 the approval of the medical marijuana treatment center  
227 cultivating or processing facility does not affect the continued  
228 operation or location of the approved cultivating or processing  
229 facility. A medical marijuana treatment center cultivating or  
230 processing facility that was approved by the department before  
231 July 1, 2026, is exempt from the distance restrictions from a  
232 park, child care facility, or early learning facility.



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233 (c) A medical marijuana treatment center dispensing  
 234 facility may not be located within 500 feet of the real property  
 235 that comprises a park as defined in s. 775.215(1), a child care  
 236 facility as defined in s. 402.302, a facility that provides  
 237 early learning services as specified in s. 1000.04(1), or a  
 238 public or private elementary school, middle school, or secondary  
 239 school unless the county or municipality approves the location  
 240 through a formal proceeding open to the public at which the  
 241 county or municipality determines that the location promotes the  
 242 public health, safety, and general welfare of the community. The  
 243 subsequent establishment of any such park, child care facility,  
 244 early learning facility, or school after the approval of the  
 245 medical marijuana treatment center dispensing facility does not  
 246 affect the continued operation or location of the approved  
 247 dispensing facility. A medical marijuana treatment center  
 248 dispensing facility that was approved by the department before  
 249 July 1, 2026, is exempt from the distance restrictions from a  
 250 park, child care facility, or early learning facility.

251 Section 3. Paragraphs (a) and (j) of subsection (2) and  
 252 paragraphs (a) and (b) of subsection (7) of section 391.308,  
 253 Florida Statutes, are amended to read:

254 391.308 Early Steps Program.—The department shall implement  
 255 and administer part C of the federal Individuals with  
 256 Disabilities Education Act (IDEA), which shall be known as the  
 257 “Early Steps Program.”

258 (2) DUTIES OF THE DEPARTMENT.—The department shall:

259 (a) Annually prepare a grant application to the Federal  
 260 Government requesting the United States Department of Education  
 261 ~~for~~ funding for early intervention services for infants and

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262 toddlers with disabilities and their families pursuant to part C  
263 of the federal Individuals with Disabilities Education Act.

264 (j) Establish procedures for dispute resolution and  
265 mediation as outlined in part C of the federal Individuals with  
266 Disabilities Education Act ~~Provide a mediation process and if~~  
267 ~~necessary, an appeals process for applicants found ineligible~~  
268 ~~for developmental evaluation or early intervention services or~~  
269 ~~denied financial support for such services.~~

270 (7) TRANSITION TO EDUCATION.—

271 (a) The department shall establish statewide uniform  
272 protocols and procedures for transition to a school district  
273 program for children with disabilities or to another program as  
274 part of an individual family support plan pursuant to part C of  
275 the federal Individuals with Disabilities Education Act ~~At least~~  
276 ~~90 days before a child reaches 3 years of age, the local program~~  
277 ~~office shall initiate transition planning to ensure the child's~~  
278 ~~successful transition from the Early Steps Program to a school~~  
279 ~~district program for children with disabilities or to another~~  
280 ~~program as part of an individual family support plan.~~

281 ~~(b) At least 90 days before a child reaches 3 years of age,~~  
282 ~~the local program office shall:~~

283 ~~1. Notify the local school district in which the child~~  
284 ~~resides and the Department of Education that the child may be~~  
285 ~~eligible for special education or related services as determined~~  
286 ~~by the local school district pursuant to ss. 1003.21 and~~  
287 ~~1003.57, unless the child's parent or legal guardian has opted~~  
288 ~~out of such notification; and~~

289 ~~2. Upon approval by the child's parent or legal guardian,~~  
290 ~~convene a transition conference that includes participation of a~~

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291 ~~local school district representative and the parent or legal~~  
292 ~~guardian to discuss options for and availability of services.~~

293 Section 4. Subsection (5) of section 391.3081, Florida  
294 Statutes, is amended to read:

295 391.3081 Early Steps Extended Option.—

296 (5) TRANSITION TO EDUCATION.—The department shall establish  
297 statewide uniform protocols and procedures for transition to a  
298 school district program for children with disabilities or to  
299 another program as part of an individual family support plan  
300 pursuant to part C of the federal Individuals with Disabilities  
301 Education Act.

302 ~~(a) At least 90 days before the beginning of the school~~  
303 ~~year following the fourth birthday of a child enrolled in the~~  
304 ~~Early Steps Extended Option, the local program office shall~~  
305 ~~initiate transition planning to ensure the child's successful~~  
306 ~~transition from the Early Steps Extended Option to a school~~  
307 ~~district program under part B of the federal Individuals with~~  
308 ~~Disabilities Education Act or to another program as part of an~~  
309 ~~individual family support plan. Specifically, the local program~~  
310 ~~office shall:~~

311 1. ~~Notify the Department of Education and the local school~~  
312 ~~district in which the child resides that the eligible child is~~  
313 ~~exiting the Early Steps Extended Option, unless the child's~~  
314 ~~parent or legal guardian has opted out of such notification; and~~

315 2. ~~Upon approval by the child's parent or legal guardian,~~  
316 ~~convene a transition conference that includes participation of a~~  
317 ~~local school district representative and the parent or legal~~  
318 ~~guardian to discuss options for and availability of services.~~

319 ~~(b) The local program office, in conjunction with the local~~

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320 ~~school district, shall modify a child's individual family~~  
321 ~~support plan, or, if applicable, the local school district shall~~  
322 ~~develop or review an individual education plan for the child~~  
323 ~~pursuant to ss. 1003.57, 1003.571, and 1003.5715 which~~  
324 ~~identifies special education or related services that the child~~  
325 ~~will receive and the providers or agencies that will provide~~  
326 ~~such services.~~

327 ~~(c) If a child is found to be no longer eligible for part B~~  
328 ~~of the federal Individuals with Disabilities Education Act~~  
329 ~~during the review of an individual education plan, the local~~  
330 ~~program office and the local school district must provide the~~  
331 ~~child's parent or legal guardian with written information on~~  
332 ~~other available services or community resources.~~

333 Section 5. Present paragraphs (d) through (hh) of  
334 subsection (5) of section 456.074, Florida Statutes, are  
335 redesignated as paragraphs (e) through (ii), respectively, and a  
336 new paragraph (d) is added to that subsection, to read:

337 456.074 Certain health care practitioners; immediate  
338 suspension of license.—

339 (5) The department shall issue an emergency order  
340 suspending the license of any health care practitioner who is  
341 arrested for committing or attempting, soliciting, or conspiring  
342 to commit any act that would constitute a violation of any of  
343 the following criminal offenses in this state or similar  
344 offenses in another jurisdiction:

345 (d) Section 782.04, relating to murder.

346 Section 6. Paragraph (f) of subsection (1) of section  
347 1004.551, Florida Statutes, is amended to read:

348 1004.551 University of Florida Center for Autism and

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349 Neurodevelopment.—There is created at the University of Florida  
350 the Center for Autism and Neurodevelopment.

351 (1) The center shall:

352 (f) Develop an autism micro-credential to provide  
353 specialized training in supporting students with autism.

354 1. The micro-credential must be stackable with the autism  
355 endorsement and be available to:

356 a. Instructional personnel as defined in s. 1012.01(2);

357 b. Prekindergarten instructors as specified in ss. 1002.55,  
358 1002.61, and 1002.63; and

359 c. Child care personnel as defined in ss. 402.302(3) and  
360 1002.88(1)(e).

361 d. Early intervention service providers credentialed  
362 through the Early Steps Program.

363 2. The micro-credential must require participants to  
364 demonstrate competency in:

365 a. Identifying behaviors associated with autism.

366 b. Supporting the learning environment in both general and  
367 specialized classroom settings.

368 c. Promoting the use of assistive technologies.

369 d. Applying evidence-based instructional practices.

370 3. The micro-credential must:

371 a. Be provided at no cost to eligible participants.

372 b. Be competency-based, allowing participants to complete  
373 the credentialing process either in person or online.

374 c. Permit participants to receive the micro-credential at  
375 any time during training once competency is demonstrated.

376 4. Individuals eligible under subparagraph 1. who complete  
377 the micro-credential are eligible for a one-time stipend, as

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378 determined in the General Appropriations Act. The center shall  
379 administer stipends for the micro-credential.

380 Section 7. This act shall take effect July 1, 2026.