Office of Medical Marijuana Use
Low-THC Cannabis & Medical Marijuana

MedicalMarijuanaUse@FLHealth.gov
Medical Marijuana in Florida

- **2014:** Medical marijuana was first legalized in Florida under the Compassionate Medical Cannabis Act of 2014. The act authorized a low tetrahydrocannabinol (low-THC) and high cannabidiol (CBD) form of marijuana for medical use by patients suffering from cancer or seizures.

- **2016:** The 2016 Right to Try Act allowed patients with terminal illnesses access to “full potency” medical marijuana.

- **January 3, 2017:** Amendment 2, which created Article X, section 29 of the Florida Constitution, went into effect. Amendment 2 expanded access to both low-THC and full-potency medical marijuana for a larger list of medical conditions.

- **June 23, 2017:** Senate Bill 8-A, which implemented Article X, section 29 of the Florida Constitution by creating a unified regulatory structure, went into effect.

- **2018:** House Bill 6049 Medical Marijuana Growers, which removed the Black Farmer and Agriculturalists Association Florida Chapter from the MMTC licensure requirements, went into effect March 30, 2018.

- **2019:** Senate Bill 182, which authorized qualified physicians to recommend whole flower for qualifying patients.
Medical Use of Marijuana

Unauthorized Use

• Marijuana that was not purchased or acquired from a MMTC.

• Use in a manner inconsistent with the qualified physician’s certification (no written prescriptions).

• Transfer of marijuana to a person other than and authorized qualified patient or the qualified patient’s caregiver on their behalf.

• Cultivation by anyone other than an approved MMTC (no home grow).

Authorized Use

• Full potency medical marijuana, and low-THC cannabis under 381.986. F.S., for all qualifying conditions.

• Medical use is the acquisition, possession, use, delivery, transfer, or administration of marijuana authorized by a qualified ordering physician.

• Medical marijuana is only provided through an approved MMTC.
Medical Use of Marijuana

Qualifying Conditions

- Cancer
- Epilepsy
- Glaucoma
- HIV
- AIDS
- Post-traumatic stress disorder (PTSD)
- Amyotrophic lateral sclerosis (ALS)
- Crohn’s disease
- Parkinson’s disease
- Multiple sclerosis (MS)
- Medical conditions of the same kind or class as or comparable to those above
- A terminal condition diagnosed by a physician other than the qualified physician issuing the physician certification
- Chronic nonmalignant pain caused by a qualifying medical condition or that originates from a qualifying medical condition and persists beyond the usual course of that qualifying medical condition
Medical Use of Marijuana

Medical use means the acquisition, possession, use, delivery, transfer, or administration of marijuana authorized by a physician certification. The term does not include:

• On any form of public transportation, except for low-THC cannabis
• In any public place, except for low-THC cannabis
• In a qualified patient’s place of employment, except when permitted by his or her employer
• In a state correctional institution, as defined in s. 944.02, or a correctional institution, as defined in s. 944.241
• On the grounds of a preschool, primary school, or secondary school, except as provided in s. 1006.062
• In a school bus, a vehicle, an aircraft, or a motorboat, except for low-THC cannabis
Qualified Ordering Physicians

Qualifying physicians must:

- Have a clear/active license under Chapter 458, or 459, Florida Statutes
- Complete the required course and examination provided by the Florida Medical Association, and Florida Osteopathic Medical Association

Find a qualified ordering physician using the online search tool:

- [https://knowthefactsmmj.com/](https://knowthefactsmmj.com/)
- There are currently 2,214 qualified ordering physicians statewide
Qualified Physician Requirements

• Conduct a physical examination while physically present in the same room as the patient, conduct an assessment of the patient’s medical history, and diagnose the patient with a qualifying medical condition

• Determine that the medical use of marijuana would likely outweigh the potential health risks for the patient. If a patient is younger than 18 years of age, a second physician must agree with this determination

• Determine if the patient is pregnant. A physician may not issue a physician certification, except for low-THC cannabis, to a patient who is pregnant

• Review the patient’s controlled drug prescription history in the Prescription Drug Monitoring Program database

• Review the Medical Marijuana Use Registry and confirmed that the patient does not have an active physician certification from another qualified physician

• Registered as the issuer of the physician certification for the qualified patient in the Medical Marijuana Use Registry and entered the contents of the physician certification into the registry, including: the patient’s qualifying condition, dosage, the amount and forms of marijuana authorized for the patient, and any types of marijuana delivery devices needed by the patient for the medical use of marijuana

• Conduct an evaluation once every 30 weeks
<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have you conducted a physical examination while physically present in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the same room as the patient and a full assessment of the medical</td>
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<td></td>
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<tr>
<td>history of the patient?</td>
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<tr>
<td>Have you determined that the medical use of marijuana would likely</td>
<td></td>
<td></td>
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<tr>
<td>outweigh the potential health risks for a patient?</td>
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<tr>
<td>Is this patient pregnant?</td>
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<tr>
<td>Have you reviewed the patient’s controlled drug prescription history</td>
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<tr>
<td>in the prescription drug monitoring program database established</td>
<td></td>
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<tr>
<td>pursuant to s.893.055?</td>
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<tr>
<td>Have you obtained the voluntary and informed written consent of the</td>
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<tr>
<td>patient for medical use of marijuana for the patient, and it is</td>
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<tr>
<td>maintained in the patient’s medical record, and has the patient, or</td>
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<td></td>
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<tr>
<td>the patient’s parent or legal guardian</td>
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<td></td>
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<tr>
<td>If the patient is a minor, signed the informed consent acknowledging</td>
<td></td>
<td></td>
</tr>
<tr>
<td>that the qualified physician has sufficiently explained its content?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

You are expected to use this standardized board consent form: Click Here
### Initial Order

<table>
<thead>
<tr>
<th>Low-THC Cannabis</th>
<th>Medical Marijuana</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Oral</td>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Oral</td>
</tr>
<tr>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Topical</td>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Topical</td>
</tr>
<tr>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Sublingual</td>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Sublingual</td>
</tr>
<tr>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Inhalation</td>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Inhalation</td>
</tr>
<tr>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Suppository</td>
<td><img src="https://via.placeholder.com/15" alt="Check" /> Suppository</td>
</tr>
</tbody>
</table>

### Marijuana in a Form for Smoking

- ![Check](https://via.placeholder.com/15) Click here to add smoking as a route of administration
- ![Check](https://via.placeholder.com/15) Total ounces per 35-day order

Mg per Day
Qualified Physician Orders

<table>
<thead>
<tr>
<th>Certification Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Order Count</th>
<th>Physician</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active</td>
<td>4/18/2019</td>
<td>10/26/2019</td>
<td>0</td>
<td>Typical, Doctor</td>
</tr>
</tbody>
</table>

New Order

Show: 10 entries

Expand

Order Status | Start Date | Purchase Device | Days | End Date | Edit
---|------------|-----------------|------|----------|------
Open | Medical Marijuana | 9/9/2019 | Typical, Doctor | Yes | 70 | 11/18/2019 |

Route: Topical

Total Amount Ordered: 3500 milligrams

Mg Per Day: 50

Note: Physician’s note to patient about how to use the product

<table>
<thead>
<tr>
<th>Dispensed On</th>
<th>At</th>
<th>Via</th>
<th>Amount Dispensed</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Identification Cards

• Each patient and caregiver in the Medical Marijuana Use Registry must be issued a Medical Marijuana User Registry Identification Card prior to filling an order at an approved MMTC.

• Patients and caregivers can submit an application:
  • Online through the Medical Marijuana Use Registry: https://mmuregistry.flhealth.gov/
  • By mail:
    Office of Medical Marijuana Use
    PO Box 31313
    Tampa, FL 33631-3313
Florida Medical Marijuana ID Card Application Approval Process

1. Application documents and payment details are submitted electronically or by mail.

2. When the payment clears after 5 business days, the application review begins.

3. Application review is complete after 5 business days.

4. Application is Complete and Fully Approved
   The applicant receives an electronic, temporary card to use while their physical, official card is printed.

5. Within 5 business days, the official card is mailed to the applicant.

Applicant submits updated documentation.

Application Rejected
Parts of application are missing or invalid and rejected.
As of August 31, 2019 the Medical Marijuana Use Registry has **260,725** active qualified patients (valid identification card)
• All MMTCs are vertically integrated, which means that each must to cultivate, process, and dispense medical marijuana and low-THC cannabis

• All MMTCs must receive authorization from the Department to begin cultivating, processing, and dispensing medical marijuana and low-THC cannabis

• Each MMTC may currently open up to 35 retail dispensing facilities

• MMTCs with dispensing authorization may deliver statewide

• DOH must initially issue 17 MMTC licenses (7 to entities previously licensed as dispensing organizations under the 2014 Compassionate Use statute and 10 new licenses)
  
  o Upon reaching 100,000 patients in the registry, and for each additional 100,000 patients thereafter, DOH must license 4 more MMTCs within 6 months
Each MMTC is authorized to operate:

- Cultivation facilities,
- Processing facilities,
- Fulfillment and Storage Facilities, and
- Dispensing facilities.

Prior to commencing operation at any facility, request an inspection and receive written approval from the Office of Medical Marijuana Use.
MMTC’s Licensed in 2017
# MMTC’s Licensed in 2018 and 2019

<table>
<thead>
<tr>
<th>Year Licensed</th>
<th>MMTC</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>Acreage Holdings</td>
</tr>
<tr>
<td>2019</td>
<td>Spring Oaks Greenhouse</td>
</tr>
<tr>
<td>2019</td>
<td>Redland Nursery</td>
</tr>
<tr>
<td>2019</td>
<td>Dewar Nurseries</td>
</tr>
<tr>
<td>2019</td>
<td>Tree King - Tree Farm</td>
</tr>
<tr>
<td>2019</td>
<td>Perkins Nursery</td>
</tr>
<tr>
<td>2019</td>
<td>Bill’s Nursery</td>
</tr>
<tr>
<td>2019</td>
<td>Deleon’s Bromeliads</td>
</tr>
<tr>
<td>2019</td>
<td>Hart’s Plant Nursery</td>
</tr>
</tbody>
</table>
### Regional Allocation of Current Dispensing Locations

**Dispensing Locations Allowable per MMTC**

<table>
<thead>
<tr>
<th>Region</th>
<th>Central</th>
<th>Southeast</th>
<th>Southwest</th>
<th>Northeast</th>
<th>Northwest</th>
<th>Additional</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowable per MMTC</td>
<td>11</td>
<td>11</td>
<td>6</td>
<td>4</td>
<td>3</td>
<td>14;6*</td>
<td>35 (49;43#)</td>
</tr>
</tbody>
</table>

**Total Approved Dispensing Locations and Total Allowable Dispensing Locations**

<table>
<thead>
<tr>
<th>Region</th>
<th>Central</th>
<th>Southeast</th>
<th>Southwest</th>
<th>Northeast</th>
<th>Northwest</th>
<th>Additional</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowable Total</td>
<td>143</td>
<td>143</td>
<td>78</td>
<td>52</td>
<td>39</td>
<td>14;6*</td>
<td>475</td>
</tr>
<tr>
<td>Current Total</td>
<td>57</td>
<td>36</td>
<td>35</td>
<td>25</td>
<td>12</td>
<td>-</td>
<td>165</td>
</tr>
<tr>
<td>Available Total</td>
<td>97</td>
<td>118</td>
<td>49</td>
<td>31</td>
<td>30</td>
<td>-</td>
<td>310</td>
</tr>
</tbody>
</table>

- **Allowable Total** = (13 MMTCs with Dispensing Authorization) x (Allowable Locations in region)
- **Available Total** = (Allowable Total) – (Current Total)
- 13 of 22 approved MMTCs have Dispensing Authorization; 12 MMTC have storefronts, 1 is delivery only
- * = The Department settled with Trulieve, allowing an additional 14 dispensing locations in unspecified regions.
- # = The Department settled with Surterra, allowing an additional 6 dispensing locations in unspecified regions; additionally Surterra purchased 2 dispensary allocations (1NE, 1C) from 3 Boys Farm.
Dispensary Statewide Distribution

- **Statewide Maximum** – Each MMTC was originally authorized to open 25 dispensaries statewide.
  - This increased to 30 when the patient population reached 100,000 qualified, active patients.
  - This increased to 35 when the patient population reached 200,000 qualified, active patients.
  - This will continue to increase by 5 dispensaries statewide each additional 100,000 qualified, active patients thereafter.

- **Regional Maximum** - The statewide maximum is distributed in 5 regions (Northwest, Northeast, Central, Southwest and Southeast) based on regional population.

- MMTCs may purchase dispensary slots from other MMTCs.

- Limits on dispensaries sunset on April 1, 2020.
January 1, 2019 - August 31, 2019, **2,246,492,475 mg** of medical marijuana (THC) has been dispensed.

- Total milligrams of medical marijuana (THC) dispensed in 2018: **1,587,160,594 mg**
- Total milligrams of medical marijuana (THC) dispensed in 2017: **190,650,136 mg**
January 1, 2019 - August 31, 2019, **84,690,680** mg of low-THC cannabis (CBD) has been dispensed.

- Total milligrams of low-THC cannabis (CBD) dispensed in 2018: **78,941,227** mg
- Total milligrams of low-THC cannabis (CBD) dispensed in 2017: **22,064,839** mg
From July 1, 2019 - August 31, 2019, **84,626.864** ounces of whole flower marijuana has been dispensed.
Resources

• Know the Facts MMJ: http://knowthefactsmmj.com/
  • Florida’s Official Source for Responsible Use

• Article X, Section 29, Florida Constitution
• Section 381.986, Florida Statues
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• Chapter 64-4 Florida Administrative Code