Presentation Outline

- Florida Compassionate Medical Cannabis Act
- Legalization of Medical Cannabis – Amendment 2
- Department of Health Rulemaking Process
- Proposed Legislation
- County Moratorium
- Next Steps
Florida Compassionate Medical Cannabis Act

**Brief History:**

SB1030 was approved by the FL Legislature and signed by Governor June 18, 2014

- Patients suffering from cancer, epilepsy or other medical conditions producing seizures
- Allows patients and legal representatives to possess & purchase low-THC cannabis
- Creates standard of care
- Created Compassionate Use Registry for physicians, law enforcement and dispensers
Florida Compassionate Medical Cannabis Act

- Requires physicians to complete 8-hour course by FMA or FOMA

- Department of Health authorized five dispensing organizations
  - 30 years in business
  - Ability to grow 400,000 plants
  - Level 2 background check
  - $5M performance bond
Department of Health Timeline

- **June 2014:** Compassionate Use Act signed into law (Low-THC)
- **May 2015:** DOH Final Rule Upheld
- **July 2015:** Dispensing Organization Applications Accepted
- **Dec 2015:** Challenges Received
- **Feb 2016:** Five Dispensing Organizations Request Cultivation Authorization
- **Mar 2016:** Governor Scott signs HB 307 (Medical Cannabis) into law
Department of Health Timeline

- **Apr 2016:** The Green Solution approved as Sixth Dispensing Organization
- **July 2016:** All approved Dispensing Organizations Cultivating Cannabis
  Dispensing began in FL
- **July - Oct 2016:** Processing and Dispensing Authorization Inspections
- **Dec 2016:** Grow Healthy Approved as Seventh Dispensing Organization
Low-THC & Medical Cannabis Qualified Patient:

- Must be Florida resident
- Diagnosed with a qualifying condition
- Patient of the ordering physician for 90 days prior to receiving the physician’s order
- Patient can fill the order at one of the approved dispensing organizations (45 day supply)
Presentation Outline

- Florida Compassionate Medical Cannabis Act
- Legalization of Medical Cannabis – Amendment 2
- Florida Rulemaking Process
- Proposed Legislation
- County Moratorium
- Next Steps
Legalization of Medical Cannabis
Amendment 2

- Medical Marijuana Amendment 2 Ballot Initiative was approved by 71% of registered voters on November 8, 2016

- Legalizes medical use of marijuana for individuals with debilitating medical conditions
  - Cancer, epilepsy, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), post-traumatic stress disorder (PTSD), amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis, or other debilitating medical conditions of the same kind or class

- Allows caregivers to assist with patients’ medical use of marijuana (must be 21 years of age)

- Department of Health registers and regulates Medical Marijuana Treatment Centers (MMTC)
Legalization of Medical Cannabis

Amendment 2

- Department of Health shall issue identification cards to patients and caregivers.

- Summary of Limitations:
  - Does not allow operating of a vehicle, aircraft, train or boat while under the influence of marijuana.
  - Does not require accommodation of any on-site medical use of marijuana:
    - Correctional or Detention Facility
    - Place of education or employment
    - Smoking medical marijuana in any public place
  - Does not require health insurance providers or any government agencies to reimburse for expenses related to medical use of marijuana.
Legalization of Medical Cannabis
Amendment 2

- Department of Health has six months to implement regulations after the effective date.

- Department of Health has nine months after the effective date to issue identification cards for qualifying patients and caregivers and to register MMTCs.
Department of Health Rulemaking Process

- Department of Health issued proposed rule for Medical Marijuana Amendment 2
  - MMTC same definition as dispensing organization
  - Defines qualifying patient
  - Caregiver - 21 years of age and Level 1 Background Screening
  - 45 day supply limit
  - Physician certification
  - Registration with Compassionate Use Registry
  - MMTC follow safety & medical record keeping standards
Presentation Outline

- Florida Compassionate Medical Cannabis Act
- Legalization of Medical Cannabis – Amendment 2
- Dept. of Health Rulemaking Process
- Proposed Legislation
- County Moratorium
- Next Steps
Proposed SB614 Florida Medical Marijuana Act by Senator Brandes

- MMTC not required to be fully vertically integrated
- Sets up four types of licenses (cultivation, processing, retail and transportation)
- Retail licenses may not exceed one license for each 25,000 residents in a county
- Local governments would have power to prohibit dispensaries
- System for issuing medical marijuana ID cards, patient qualifications, caregiver requirements, restrictions on MMTC on advertising of marijuana or medical marijuana products
Proposed Legislation

- Proposed SB406 Compassionate Use of low-THC Cannabis and Marijuana by Senator Bradley
  - Expansion of licenses to grow and sell medical marijuana
  - Reduce the 90-day requirement for physician to treat patient
  - Chronic nonmalignant pain definition
  - Four hour course for physicians
  - Expands patient supply of medical marijuana from 45 days to 90 days
  - Ban edible marijuana products that are attractive to children
Proposed SB1388 Compassionate Use of Medical Cannabis by Senator Artiles

- Deletes Low-THC and provides definition for Medical Cannabis
- Additional MMTC’s based on number of qualifying patients
- Allows MMTC’s to make wholesale purchases of medical cannabis from another MMTC
- Establishes Medical Marijuana Testing Facilities
- All regulation of cultivation and processing of medical cannabis are preempted to the State
Proposed Legislation

- Proposed SB1666 Compassionate Use of Marijuana by Senator Braynon
  - Caregiver must be 21 years of age and complete 1 hour course
  - Expands patient supply of medical marijuana from 45 days to 90 days
  - Option for non-Florida resident to receive marijuana
  - Creates 30-minute educational program
  - Regulation of cultivation and processing of marijuana are preempted to the state
Proposed Legislation

- Proposed SB1662 by Senator Clemens
  - Defines personal use of marijuana - 1 ounce or less
  - Personal possession of marijuana is a civil violation (18 yrs. or older) - $100 Fine

- Proposed HB237 Driving Under the Influence of Drugs Act by Representative Silvers
  - Relating to driving or boating under the influence
  - Person has blood level of 5 nanograms or more THC per milliliter of blood
Presentation Outline

- Florida Compassionate Medical Cannabis Act
- Legalization of Medical Cannabis - Amendment 2
- Dept. of Health Rulemaking Process
- Proposed Legislation
- County Moratorium
- Next Steps
County Moratorium

- Temporary Moratorium on Medical Cannabis Activities
  - County to determine best way to regulate medical cannabis activities

- Medical Cannabis Activities
  - Derivative Products
  - Low-THC
  - Medical Cannabis
  - Medical Cannabis Activities
During Moratorium

- Appropriate County personnel will study and review relevant issues relating to medical cannabis activities

- Appropriate County personnel will then draft and submit proposed land development regulations for medical cannabis activities
County Moratorium

- Moratorium Period: August 23, 2016 through the earlier of May 23, 2017, or the date an ordinance establishing new or amended land development regulations concerning Medical Cannabis Activities is adopted.

- During moratorium, development permits will not be issued for any medical cannabis activities.
Local Ordinances

Local Moratoriums on Medical Cannabis Activities:

- July 2016 - City of Orlando enacted temporary moratorium; extended until July 1, 2017
- August 2016 - City of Winter Garden passed 270-day temporary moratorium
- November 2016 - City of Apopka enacted six-month temporary moratorium
- Numerous cities and counties have enacted temporary moratoriums on medical cannabis throughout the state
- Update on Florida Compassionate Medical Cannabis Act
- Legalization of Medical Cannabis - Amendment 2
- Florida Rulemaking Process
- Proposed Legislation
- County Moratorium
- Next Steps
Next Steps

- Continue to monitor proposed legislation
- Review local ordinances
- Monitor Department of Health rulemaking development process
- Moratorium extension