

DEPARTMENT OF HEALTH
OFFICE OF MEDICAL MARIJUANA USE

**CERTIFIED
ORIGINAL**

ADMINISTRATIVE RULE WORKSHOP

DATE TAKEN: December 18, 2025
TIME: 9:01 AM - 9:14 AM
LOCATION: Holiday Inn Tallahassee
East Capitol - University
2003 Apalachee Parkway
Tallahassee, Florida 32301

1 APPEARANCES:

2 MEREDITH HAYES, ADMINISTRATIVE RULES COORDINATOR

3 JOSHUA STURMS, OMMU PROJECT MANAGER

4 TODD SCHIMPF, COMMUNICATIONS MANAGER

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6 ON BEHALF OF THE DEPARTMENT OF HEALTH:

7 FLORIDA DEPARTMENT OF HEALTH

8 BY: BRYAN LEVI GALLIANN, ESQUIRE

9 4052 Bald Cypress Way, Bin M-01

10 Tallahassee, Florida 32308

11 (850) 245-4444

12 bryan.gallian@gmail.com

13

14 ON BEHALF OF MEDICAL MARIJUANA TREATMENT:

15 CENTERS:

16 BAXTER LAW

17 BY: DEVON BAXTER, ESQUIRE

18 109 West 4th Avenue

19 Tallahassee, Florida 32303

20 (850) 591-9056

21 devon@baxter-law-firm.com

22

23

24

25

1 APPEARANCES:

2 ON BEHALF OF TRULIEVE CANNABIS CORPORATION:

3 THE LOCKWOOD LAW FIRM

4 BY: JOHN M. LOCKWOOD, ESQUIRE

5 BY: CHRISTIAN BAX, ESQUIRE

6 1400 Village Square Boulevard, Suite 3-504

7 Tallahassee, Florida 32312

8 (850) 727-5009

9 john@lockwoodlawfirm.com

10 (850) 274-3620

11 christian@lockwoodlawfirm.com

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P R O C E E D I N G S

(Thereupon, the following proceedings were held at 9:01 AM.)

MS. HAYES: Good Morning. This is a workshop on rules 64-4.011, Medical Marijuana Use Registry Identification Cards and 64-4.220 MMTC Website and Website Purchasing. This workshop is being conducted on December 18th, 2025, at Holiday Inn, Tallahassee East Capital University, 2003 Apalachee Parkway, Tallahassee, Florida 32301.

I am conducting the workshop for the Department. My name is Meredith Hayes and I'm the Administrative Rules Coordinator for the Office of Medical Marijuana Use. Our address is Florida Department of Health, 4052 Bald Cypress Way, Bin M-01, Tallahassee, Florida 32399.

I am joined by Levi Gallian, OMMU Senior Attorney, Todd Schimpf, Communications Manager, and Joshua Sturms, OMMU Project Manager. This workshop is being conducted in accordance with Section 120.54, Florida Statutes. The notice for this workshop was published in Volume 51, Number 235 of the Florida Administrative Register on December 5th, 2025.

The purpose for this workshop is to allow the

1 public an opportunity to participate in the rule
2 making process. Before we begin, we ask that all
3 comments that include suggestive rule language be
4 submitted in writing to the OMMU rules inbox at
5 ommurules@flhealth.gov before the end of the
6 comment period, which will be announced at the end
7 of the workshop.

8 Please be advised that this workshop is being
9 transcribed by a court reporter. This rule making
10 amends Rule 64-4.011 FAC pursuant to Chapter 225-
11 204 Section 4 Laws of Florida, to update the
12 Medical Marijuana Use Registry Identification Card
13 process, incorporated forms and requirements for
14 patients and caregivers.

15 This rule making also initiates non-emergency
16 rule making to replace Emergency Rules 64ER22-7
17 adopted by the Department to implement Section
18 381.986, Florida Statutes pursuant to Chapter 225-
19 199 Section 15, Laws of Florida.

20 If you indicated on the sign in sheet that you
21 wish to comment on a rule, you will be called in
22 the order in which you signed in to speak on the
23 subject rule indicated. When your name or
24 affiliation is called, please approach the
25 microphone at the front of the room. We ask that

1 you state your name and the organization that you
2 represent.

3 In the interest of time, we ask that you do
4 not repeat the position of the previous speakers.
5 You may, however, state that you agree with one or
6 more of the previous speakers. We ask that you
7 limit your comments to no more than three minutes.

8 At this time, we ask that you come to the
9 front of the room and we have opened the floor for
10 comment from Rule 64-4.220 MMTC Website and Website
11 Purchasing and we will only be accepting comments
12 on this rule at this time. Devon Baxter.

13 MS. BAXTER: We're doing Website Purchasing
14 Rule first?

15 MS. HAYES: Yes.

16 MS. BAXTER: Good morning, Devon Baxter,
17 Baxter Law. I'm here on behalf of multiple MMTCs
18 and CMTLs.

19 In regard to the Website Purchasing Rule, one
20 thing my clients would really like to see is that
21 the next version of the Rule explicitly allows for
22 the use of mobile apps and third party

23 platforms. And it's important to patients,
24 for instance, platforms that allow them to search
25 across multiple MMTCs which allows patients to

1 easily, with one search, identify a particular
2 product.

3 For instance, if they know a certain type of
4 product or a certain formula of a product
5 formulation is helpful for their condition. The
6 ability to search across multiple MMTCs in one go
7 and also to compare prices is very important.

8 So, they would be able to do that with apps
9 and with third party marketplace type shopping
10 platforms. And of course we think it would be
11 reasonable for MMTCs to demonstrate that the use of
12 those platforms is consistent with their
13 responsibility to protect patient privacy and
14 demonstrate that those platforms are secure. Thank
15 you.

16 MS. HAYES: Thank you. Christian Bax. John
17 Lockwood.

18 MR. LOCKWOOD: Good morning, John Lockwood the
19 Lockwood Law Firm. I'm here on behalf of numerous
20 MMTCs in the State of Florida including
21 specifically Trulieve Cannabis Corp.

22 I'll echo Ms. Nunnally or Ms. Baxter's
23 comments about mobile applications. That's really
24 the primary point of my comments today. As you're
25 aware we have had extensive litigation with the

1 department over the last year concerning the mobile
2 applications.

3 Trulieve, earlier this year, submitted a
4 variance application to allow a mobile app. The
5 mobile app was really no different at all than what
6 they're already approved for as far as their
7 website. Just an easy mobile application that
8 people would put on their phones.

9 Candidly, thought there would -- never be any
10 controversy over that. But we did get a denial in
11 March and the denial was based on specifically upon
12 the website rule and the website rule did not allow
13 any mobile applications to be utilized at that
14 time.

15 We've always valued our relationship with OMMU
16 and try not to get any of the litigation, but I
17 think at that point our hand was forced and we
18 ultimately challenged rule. It was invalidated on
19 the basis that one OMMU had no real basis to limit
20 the number of websites that MMTCs would have.

21 Also, we struck the term, pre-reservation.
22 Candidly, I'd love if anybody on the on the panel
23 had any comment on what the term, pre-reservation,
24 meant. I'm sure Levi won't allow that answer and
25 that's -- okay.

1 My main point is, when you look through
2 Florida Statutes, there's a host of laws -- across
3 the board that treat mobile apps and websites as
4 virtually the same thing. A lot of Internet laws
5 regulating them, no different.

6 Here we have in 381.986, mobile applications
7 aren't even mentioned. And the rule making
8 authority for the particular website rule here just
9 simply sets a baseline of what MMTCs must provide
10 on their websites.

11 And, so from our perspective, there's really
12 only two outcomes here. One, that those
13 restrictions would be applicable to mobile
14 applications as well, and they would be treated the
15 same, or the latter, OMMU has zero authority over
16 mobile applications and regulations thereunder.

17 We're not necessarily suggesting that. I
18 mean, I think OMMU certainly has reasonable
19 regulations, and I think -- MMTCs should be forced
20 to or required to submit variances and have -- the
21 mobile applications approved in the, in the same
22 format.

23 And, echoing Ms. Baxter's comments, patient
24 privacy, things like that. We're not looking for a
25 giant loophole here.

1 It's just from the patient's perspective, and
2 it's 2025. I mean, even my father relies upon
3 mobile applications. And five years ago, I never
4 would have thought that'd be the case. I mean,
5 this is just something that's embedded in all of
6 our modern lives.

7 And so I would, again, our suggestion here,
8 and we will provide written comments on this, is
9 that the rule treat mobile apps and websites as the
10 same and that MMTCs are allowed to utilize those in
11 their business operations.

12 It would be helpful for us if Levi or the
13 panel had any things that y'all would be looking
14 for as far as information that we could submit to
15 help you align what the variances would require for
16 mobile apps or websites.

17 I mean, certainly, you know, again, I mean, we
18 can -- write our own rule, but if there are some
19 concerns that the panel has, that would be helpful
20 for us and we can -- respond to that.

21 Obviously, during this variance process, we
22 submitted hundreds, if not thousands of pages
23 detailing the extensive information that went into
24 the creation of Trulieve's mobile app and the
25 patient privacy and all of the protections that

1 would be provided. So, you know, Levi -- I don't
2 know if there's any -- particular topic that y'all
3 would be looking for in -- comments on this.

4 MR. GALLIAN: Yes, thank you very much, Mr.
5 Lockwood. At this time, I don't have a specific
6 feedback for you regarding that. Obviously,
7 privacy concerns.

8 I believe the ability of the program to
9 monitor websites versus mobile apps may be a
10 particular concern. But, we will certainly take
11 any written comments you have into consideration as
12 we're formulating the final version of the rule.

13 MR. LOCKWOOD: Okay. Again, just to
14 reiterate, I mean we've, the litigation we have
15 against the State now is on appeal.

16 I think that it's in everybody's best interest
17 to resolve this in a non-adversarial fashion. I
18 think that having OMMU's rule completely struck
19 down probably isn't in the best interest of anyone.

20 And so, we'd like to be a good partner here
21 and work with this, but I can't understate enough
22 how important this is for our clients in this
23 industry to move this forward.

24 So with that we'll just commemorate comments
25 and I appreciate it. Thank you.

1 MR. GALLIAN: Thank you very much, Mr.
2 Lockwood.

3 MS. HAYES: Are there any additional comments?
4 Next, we would like to open the floor for comment
5 on Rule 64-4.011, Medical Marijuana Use Registry
6 Identification Cards and we will only be accepting
7 comments on this rule at this time.

8 MS. BAXTER: Devon Baxter, Baxter Law. My
9 only comment on this rule goes to affordability for
10 the patients.

11 I understand that the statute requires that
12 patients renew their card annually, but that \$75
13 annual fee can hit pretty hard, especially for
14 older patients or patients that are on a fixed
15 income.

16 So, we would ask the department to see if
17 there's any way to reduce that fee or maybe to
18 introduce a reduced fee schedule if a patient can
19 demonstrate that their income falls below a certain
20 level, just to make it more affordable for patients
21 to maintain their cards. Thank you.

22 MS. HAYES: Thank you. Christian Bax?

23 MR. BAX: No comments.

24 MS. HAYES: Are there any further comments on
25 that rule? If there are no further comments, I

1 would like to thank you all for your participation
2 in this workshop.

3 We will be accepting written comments and
4 material until 5 PM January 2nd, 2026. Please
5 submit your written comments that include any
6 suggested rule language to ommurules@flhealth.gov.
7 There being no further comments, I would like to
8 inform you that this workshop is closed.

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10 (Thereupon, the proceedings were concluded at 9:14
11 AM.)

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1 CERTIFICATE OF COURT REPORTER

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3 THE STATE OF FLORIDA4 COUNTY OF SEMINOLE:
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6 I, CHRISTOPHER REEVES, a Court Reporter
7 in and for the State of Florida at Large, do hereby
8 certify that I was authorized to and did report the
9 proceedings in the above-styled cause before the
10 Florida Department of Health, at the time and place set
11 forth; that the foregoing pages, numbered from 1 through
12 13, inclusive, constitute a true and complete record of
13 my notes.

14
15 I further certify that I am not a relative,
16 employee, attorney, or counsel of any of the parties,
17 nor am I a relative or employee of any of the parties'
18 attorney or counsel with the action, nor am I
19 financially interested in the action.

20
21 DATED on this 18th day of December 2025.22 *Christopher Reeves*
23 _____

24 CHRISTOPHER REEVES, Court Reporter

25 Notary Public-State of Florida