

Office of Medical Marijuana Use

Florida's Official Source for Medical Use

Know The Facts
Legal Medical
Use

At the federal level, marijuana and marijuana products are illegal and subject to criminal law enforcement, so it is critical that patients and caregivers understand and adhere to the requirements of Florida law. The laws for the medical use of marijuana in Florida are provided in Article X, section 29 of the Florida Constitution and in section 381.986, Florida Statutes (F.S.).

The term "medical use" means the acquisition, possession, use, delivery, transfer, or administration of marijuana authorized by a physician's certification. The term does NOT include:

- Use in any public place or on public transportation, except for low-THC cannabis not in a form for smoking.
- Use in a qualified patient's place of employment, except when permitted by his or her employer.
- Use on the grounds of a preschool, primary school, or secondary school, except as provided in section 1006.062, F.S.
- Smoking of marijuana in an enclosed indoor workplace, as defined in section 386.203(5), F.S.

Legal Medical Use Under Florida Law

The use of medical marijuana and low-THC cannabis for qualifying conditions, as authorized by a qualified physician, is permitted. Medical marijuana may only be acquired through a licensed Medical Marijuana Treatment Center (MMTC).

Legal Use

A qualified patient and the qualified patient's caregiver:

- May purchase marijuana products from an MMTC for the patient's medical use, a marijuana delivery device, and up to the amount of marijuana authorized in the physician's certification.
- May not possess more than a 70-day supply of marijuana, or the greater of 4 ounces of marijuana in a form for smoking or an amount of marijuana in a form for smoking approved by the Department of Health pursuant to section 381.986(4)(f), F.S., at any given time.
- All marijuana products must remain in their original packaging as dispensed by the MMTC.

Medical Marijuana Use Registry (Registry) ID Card

Each qualified patient and caregiver is required to have a valid Medical Marijuana Use Registry ID card, which must be renewed annually. A qualified patient or caregiver in possession of marijuana or a marijuana delivery device who fails or refuses to present his or her Registry ID card upon the request of a law enforcement officer commits a misdemeanor of the second degree.

Criminal Use

- Use or administration of any form or amount of marijuana in a manner that is inconsistent with the qualified physician's certification.
- Transfer of marijuana to a person other than the qualified patient for whom it was authorized or the qualified patient's caregiver on behalf of the qualified patient.
- Qualified patient or caregiver who cultivates marijuana or who purchases or acquires marijuana from any person or entity other than an MMTC violates section 893.13, F.S., and is subject to the penalties provided therein. **Home grow is not permitted.**
- A qualified patient who uses marijuana (not including low-THC cannabis) or a caregiver who administers marijuana (not including low-THC cannabis) in plain view of or in a place open to the general public, e.g., school bus, vehicle, aircraft, or boat, or on the grounds of a school, except as provided in section 1006.062, F.S., commits a misdemeanor of the first degree to the penalties provided therein.

Medical Marijuana Use and Operating Vehicles

A person is prohibited from the operation of any vehicle, aircraft, train, or boat while under the influence of medical marijuana.

Reciprocity

Section 381.986, F.S., does not allow reciprocity agreements with other states. Bringing medical or recreational marijuana from another state into Florida violates section 893.13, F.S. Even if an individual is authorized to possess and use medical marijuana in their home state, they could be criminally charged for bringing it into Florida.

Medical Marijuana in the Workplace

Florida law does not require an employer to accommodate the medical use of marijuana in any workplace or any employee working while under the influence of marijuana.

The Office of Medical Marijuana Use

The Office of Medical Marijuana Use is charged with writing and implementing the Florida Department of Health's rules for medical marijuana to ensure the health and safety of the public.

For additional information about Florida's Office of Medical Marijuana Use, please visit **KnowTheFactsMMJ.com** or call **800-808-9580**.

Sources:

Section 381.986, F.S.; Article X, section 29(d), Florida Constitution