

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

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Interim State Surgeon General

Vision: To be the **Healthiest State** in the Nation

For Official Use Only

MEMORANDUM

DATE: May 4, 2016

FROM: Florida Department of Health, Office of Compassionate Use

SUBJECT: Biweekly Update

The Florida Department of Health, Office of Compassionate Use is working to implement the regulatory framework for medical cannabis¹ in Florida. Over the next few months, Florida is going to undergo a significant transition as legal medical cannabis becomes available to patients. To ensure that stakeholders are kept fully informed on the state of medical cannabis in Florida, the Florida Department of Health will issue bi-weekly updates on the relevant regulations, the status of the state's dispensing organizations, and the availability of medical cannabis. The following is a briefing on where medical cannabis regulations stand today.

1. Florida Law Allows Specific Types of Patients to Legally Obtain Medical Cannabis

Section 381.986, Florida Statutes, as amended by Chapter 2016-123, Laws of Florida, permits certain patients to obtain medical cannabis if authorized by a physician who has undergone required training. Under Florida law, there are two types of medical cannabis that can be obtained by patients:

1. Patients with cancer or a condition that causes chronic seizures or muscle spasms qualify to receive low-THC cannabis. Low-THC cannabis has very low amounts of the psychoactive ingredient THC, and does not usually produce the "high" commonly associated with cannabis. See § 381.986, Fla. Stat.²
2. Patients with a terminal condition qualify for full-THC medical cannabis. This product is more commonly known as medical marijuana or medical cannabis, and can produce the "high" commonly associated with cannabis. See §§ 381.986 and 499.0295, Fla. Stat.

2. Florida Has Six Dispensing Organizations:

A dispensing organization is a business that is allowed to grow, process, and sell medical cannabis to patients. Approved dispensing organizations are the only businesses allowed to grow or sell cannabis in the state. Besides patients or their legal representative, dispensing organization employees are the

¹ As used in this document, "medical cannabis" or "legal medical cannabis" refers to both "low-THC cannabis" and "medical cannabis" as those terms are defined in Section 381.986, Florida Statutes, as amended by Chapter 2016-123, Laws of Florida.

² References to statute will be to the statutes, as amended by Chapter 2016-123, Laws of Florida.

only individuals allowed to transport medical cannabis. Florida's approved dispensing organizations are:

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| 1. Chestnut Hill Tree Farm | (Alachua County) |
| 2. Grandiflora (<i>San Felasco Nurseries</i>) | (Alachua County) |
| 3. Hackney Nursery | (Gadsden County) |
| 4. Knox Nursery | (Orange County) |
| 5. Modern Health Concepts (<i>Costa Nursery Farms</i>) | (Miami-Dade County) |
| 6. Surterra Therapeutics (<i>Alpha Foliage, Inc.</i>) | (Leon & Hillsborough County) |

3. Medical Cannabis Is Legally Growing in Florida:

Three of the state's dispensing organizations have begun growing medical cannabis. Medical cannabis is now growing in Gadsden County (Hackney Nursery), Leon County (Alpha-Surterra), Hillsborough County (Alpha – Surterra), and Miami-Dade County (Costa Nursery Farms). We anticipate the remaining dispensing organizations to begin growing soon. Medical cannabis cannot be grown legally by any other person or business. Patients are not allowed to grow cannabis under section 381.986.

4. There Is Currently No Way to Legally Buy Medical Cannabis in Florida

Dispensing organizations must have final clearance from the Florida Department of Health to begin selling medical cannabis products to patients. No dispensing organization has been given clearance to sell to patients, and the Department does not plan to provide such clearances for at least another month. Therefore, there is currently no legal way for patients to purchase or possess medical cannabis. **The Florida Department of Health will alert law enforcement when it has approved dispensaries to begin selling medical cannabis to patients.**

5. Medical Cannabis Will Be Available in Florida by September

Dispensing organizations approved to grow medical cannabis are required by Rule 64-4.005, of the *Florida Administrative Code*, to begin selling to patients within 210 days of being granted cultivation authorization. The Department anticipates product being available this September, however dispensing organizations could begin dispensing to patients as early as June.

6. How Do I Learn More?

The Department understands that the law will result in a transition that is both novel and unprecedented for Florida. As we move forward, if you have questions related to cannabis regulations, please reach out to the Office of Compassionate Use at (850) 245-4274.