

September 7, 2018

The Florida Department of Health (DOH) continues to focus on the health and safety of Florida's families and is dedicated to ensuring patients have safe access to low-THC cannabis and medical marijuana. We are pleased to provide this weekly update on the DOH Office of Medical Marijuana Use's (OMMU) diligent work implementing the many requirements in Amendment 2 and those set by the Florida Legislature in section 381.986, F.S. (2018).

OMMU UPDATES

<p>Qualified Patients: (Active ID Card): 123,009 Total Patients: 159,746</p> <p>Processing Time for Complete Application*: 5 business days Processing Time for ID Card Printing: 5 business days</p> <p><i>*Applications are not deemed to be complete until payment has successfully cleared – up to 5 business days.</i></p>	<p>Check your application status: https://mmuregistry.flhealth.gov/</p> <p>OMMU Call Center: 1-800-808-9580</p>
<p>Qualified Ordering Physicians: 1,694</p>	<p>Verify your qualified ordering physician: http://www.flhealthsource.gov/</p>
<p>Weekly Highlights:</p> <ul style="list-style-type: none"> ▪ Low-THC cannabis and medical marijuana has been and continues to be available for qualified patients. Patients may search for qualified ordering physicians using the new search tool on the OMMU Patients Page. Patients and caregivers may fill their orders at any of the 53 dispensing locations, or via delivery from approved MMTCs below. ▪ On Thursday Aug. 30, 2018, the department noticed a rulemaking workshop to discuss marijuana testing lab certification and testing standards. A link to the notice can be found here. ▪ The mailing address for Patient and Caregiver ID card applications is: Office of Medical Marijuana Use PO Box 31313 Tampa, FL 33631-3313 	

Medical Marijuana Treatment Centers Updates:

Approved medical marijuana treatment centers are the only businesses allowed to grow, process, or sell medical marijuana in Florida.

Amount of Medical Marijuana Dispensed (August 31 – September 7):	35,684,725 mgs
Amount of Low-THC Cannabis Dispensed (August 31 – September 7):	1,872,584 mgs
Approved Dispensing Locations:	53

MMTC Name	Dispensing Locations
Trulieve	Bradenton, Clearwater, Edgewater, Fort Myers, Gainesville, Jacksonville, Lady Lake, Miami (1), Miami (2), New Port Richey, Orlando, Palm Coast, Pensacola, St. Petersburg, Tallahassee, Tampa, Vero Beach, delivery
Surterra Wellness	Deltona, Jacksonville, Largo, Miami Beach, North Port, Orlando, Pensacola, Port Orange, Tallahassee, Tampa, delivery
Curaleaf	Ft. Myers, Jacksonville, Kendall, Lakeland, Lake Worth, Miami, Orlando, Palm Bay, Palm Harbor, St. Petersburg, delivery
Knox Medical	Fort Walton Beach, Gainesville, Jacksonville, Lake Worth, Orlando, St. Petersburg, Tallahassee, delivery
Liberty Health Sciences	Port St. Lucie, St. Petersburg, Summerfield, Tampa, delivery
Vidacann	Deerfield Beach, Holly Hill, Palm Bay, delivery
AltMed Florida (MüV)	Apollo Beach, Sarasota, delivery
The Green Solution	Dispensing via delivery
GrowHealthy	Dispensing via delivery
Columbia Care Florida	Dispensing via delivery
3 Boys Farm	<i>Cultivation Authorization only</i>
Remeny Wellness	<i>Cultivation Authorization only</i>
KSGNF	<i>Cultivation Authorization only</i>
Green Owl Pharms	N/A

Legal Updates

The implementation of Amendment 2 and section 381.986, F.S. (2018) continues to be frequently litigated. While some of these lawsuits have little impact on our progress, others – particularly those regarding the constitutionality of the law we are tasked with executing – have significant impact on DOH’s ability to implement certain requirements of section 381.986, F.S. (2018).

Home Grow	Redner v. DOH, et. al., 13th Judicial Circuit Case No. 17-CA-5677 <i>Court of Appeal reinstated the stay and noted that Redner was unlikely to succeed on the merits of the case. Redner appealed to the Florida Supreme court by filing a Petition to Invoke “All Writs” Jurisdiction. Florida Supreme Court issued an Order denying the petition to invoke all writs jurisdiction on May 25.</i>
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Smoking Ban	<p>People United for Medical Marijuana v. DOH, et. al., 2d Judicial Circuit Case No. 2017-CA-1394</p> <p><i>Court of Appeal reinstated the stay and noted that Plaintiffs were unlikely to succeed on the merits of the case. The lower court's order is not currently in effect.</i></p>
Application Process	<p>Bill's Nursery, Inc. v. DOH, 2d Judicial Circuit Case No. 2017-CA-002411</p> <p><i>Order denying the Motion to Dismiss issued on May 24.</i></p>
MMTC Licensure	<p>Nature's Way v. DOH Case No. 17-5801 and 18-0721</p> <p><i>Settlement agreement and Final Order issued on July 13 in Case No. 18-0271, granting Nature's Way a license and registration as a MMTC. Case No. 17-5801 is on appeal (Case No. 1D18-2929).</i></p>
Constitutionality of Rules	<p>Florigrown LLC v. DOH Case No. 2017-CA-002549</p> <p><i>Hearing on Plaintiff's Motion for Temporary Restraining Order set for July 19. Hearing on injunctive relief completed. On August 2, the Court issued an Order denying the motion for temporary injunction without prejudice and setting a case management conference for October 3.</i></p>
Application Process	<p>Patients and Producers Alliance, Inc. v. DOH Case No. 2018-CA-000336</p> <p><i>Case filed February 14, 2018 and has been assigned to Judge Dodson.</i></p>
Constitutionality of Law	<p>Trulieve v. DOH Case No. 2018-CA-000698</p> <p><i>Case set for trial August 27, 2018; hearing held and proposed orders are due August 31.</i></p>
Administrative Challenge to Application Rule	<p>Del Favero v. DOH, DOAH 18-2838</p> <p><i>Administrative challenge to citrus preference in application rule. Final order issued by administrative law judge on August 6, finding that Rule 64-4.002 is an invalid exercise of delegated legislative authority. Notice of Appeal was filed by Mecca Farms (intervenor in case below) on September 4 (Case No. 1D18-3761).</i></p>
Pigford License Preference	<p>Tingle v. DOH, 1st Judicial Circuit Case No. 18-CA-2092F</p> <p><i>Native American Farmer seeks qualification for Pigford license. Petitioner dismissed without prejudice.</i></p>
Petition for Licensure	<p>Spring Oaks v. DOH, DOAH 18-4471</p> <p><i>DOH filed a motion to consolidate related cases. Del Favero and East Coast Packers have filed petitions to intervene.</i></p>
Petition for Licensure	<p>Perkins v. DOH, DOAH 18-4473</p>

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Petition for Licensure	Bill's Nursery v. DOH, DOAH 18-4474 <i>DOH filed a motion to consolidate related cases. Del Favero and East Coast Packers have filed petitions to intervene.</i>
Petition for Licensure	Dewar Nurseries v. DOH, DOAH 18-4463 <i>DOH filed a motion to consolidate related cases. Del Favero and East Coast Packers have filed petitions to intervene.</i>
Petition for Licensure	Tree-King Tree Farm Inc. v. DOH, DOAH 18-4472 <i>DOH filed a motion to consolidate related cases. Del Favero and East Coast Packers have filed petitions to intervene.</i>
Petition for Licensure	Tropiflora v. DOH, (DOH 2018-0195)
Administrative Challenge to Application Rule (64-4.026)	Aardvark Plant Services, Inc., v. DOH, DOAH 18-4585RP

General Background Information

Medical Marijuana ID Card Application Process: Once a patient has been diagnosed by a qualified ordering physician and entered into the Medical Marijuana Use Registry, they can immediately begin the identification card application process. The department encourages applicants to complete the process online as this decreases processing time. Patients receive an email from OMMU once their email is added to the registry by their qualified ordering physician which directs them to the application. Once an application is reviewed and approved, patients receive an approval email which can be used to fill an order at an approved MMTC while they await their physical card.

Medical Marijuana Use Registry: All orders for medical marijuana are recorded and dispensed via the Medical Marijuana Use Registry. The Medical Marijuana Use Registry is accessible online, with real time information to ordering physicians, law enforcement and medical marijuana treatment center staff. Patients and caregivers may also access the Medical Marijuana Use Registry to submit a Medical Marijuana Use Registry Identification Card application, and check the status of their application.

Medical Marijuana Treatment Centers: Approved medical marijuana treatment centers are the only businesses allowed to grow, process, or sell medical marijuana in Florida. Each medical marijuana treatment center must receive authorization at three stages, (1) cultivation authorization, (2) processing authorization, and (3) dispensing authorization, prior to dispensing low-THC cannabis or medical marijuana. Medical marijuana cannot be mailed.

For more information visit www.flhealth.gov/ommu