

Practice Update

Medical Cannabis Bill Approved by Florida Senate

March 8, 2016

By Jonathan S. Robbins

On March 7, 2016, the Florida Senate approved a House version of a bill (HB 307) that will allow terminally ill patients to use medical cannabis of all strengths during the last year of their lives. HB 307 is now headed to Governor Rick Scott for approval. The bill, which passed in a 28-11 bipartisan vote, amends the Florida Right to Try Act and adds to the framework of the 2014 Compassionate Medical Cannabis Act, commonly referred to as “The Charlotte’s Web Law,” including additional provisions for: physician ordering; pesticides; testing; security; and packaging.

The bill provides that the five nurseries authorized to cultivate low-THC cannabis under the Compassionate Medical Cannabis Act, will be able to dispense medical cannabis with higher-THC content to eligible patients, as defined by the Right to Try Act, within the last year of life. Upon the registration of 250,000 active qualified patients in the Compassionate Use Registry, the Department of Health will approve three additional dispensing organizations, potentially opening the doors to additional applicants and those nurseries that did not receive initial approval.

HB 307 is not related to Amendment 2, an amendment to Florida’s Constitution, which will be

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considered by Florida voters on November 8, 2016. Amendment 2, which will require at least 60% of the vote to pass, would allow physicians to prescribe cannabis of all strengths for a far broader range of conditions and the amendment would apply to all patients, not just those in the last year of life.

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