

Practice Update

Governor Scott Signs Medical Marijuana Bill

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By Jonathan S. Robbins

Florida Governor Rick Scott signed Senate Bill 1030 (the “Charlotte’s Web” bill) into law on Monday, June 16, 2014 allowing for the limited use of a special strain of marijuana to treat epileptic seizures and other diseases. State lawmakers passed the measure this spring with bipartisan support, after impassioned appeals from parents seeking access to the form of marijuana known as “Charlotte’s Web,” named for a Colorado girl whose epileptic seizures have shown response to the drug. Florida is now among the growing number of states (23 to-date, including Washington, D.C.) to legalize marijuana’s use for certain medical conditions.

About The Charlotte’s Web Bill

In its most simple form, the Charlotte’s Web Bill decriminalizes a medical professional’s recommendation and patient’s use of a particular strain of a low-THC (the element that produces a euphoric effect) cannabis for specific medicinal purposes. It does not allow for a smokable form of marijuana – only the oil form is included in the legislation. This means that a doctor can ‘order’ the usage of the Charlotte’s Web strain of cannabis for treatment of specific ailments as outlined in the bill. These ailments include cancer, Parkinson’s disease, multiple sclerosis, other physical medical conditions that chronically produce symptoms of seizures or

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severe and persistent muscle spasms, and its original intended purpose to treat pediatric epilepsy. Key requirements of Charlotte's Web include the following:

- Physicians must be appropriately licensed to prescribe medical marijuana in Florida.
- Patients must be Florida residents.
- Florida physicians who have been authorized to order this strain of medical marijuana can start writing prescriptions January 1, 2015. It will be sold through dispensaries licensed by The Florida Department of Health.
- Physicians must add patients to the newly formed "compassionate use registry."
- The "compassionate use registry" allows for five (5) companies to be licensed to cultivate, process and dispense the approved strain in an oil format. These companies would be based in four corners of Florida, and one in the center of the state. The law provides stringent requirements, limiting the eligible nurseries to only 39 state-wide.
- The Charlotte's Web Bill is not related to a more expansive medical marijuana referendum up for vote in November, with polls thus far showing widespread support.

Akerman's Regulated Substances Task Force

In early May, Akerman announced the formation of its Regulated Substances Task Force to assist our clients in navigating the quickly evolving and complex regulatory framework governing regulated substances, including medical marijuana. For questions, please contact Jonathan S. Robbins or Richard L. Spees.

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