

Office of Compassionate Use

MEDICAL CANNABIS INFORMATION

Patients diagnosed with terminal conditions are eligible to receive an order for medical cannabis, which contains the psychoactive ingredient THC.

Florida law defines a terminal condition as a progressive disease or medical or surgical condition that causes

significant functional impairment, is not considered by a treating physician to be reversible even with the administration of available treatment options currently approved by the United States Food and Drug Administration, and, without the administration of life-sustaining procedures, will result in death within one year after diagnosis if the condition runs its normal course.

Section 381.986, Florida Statutes, as amended by Chapter 2016-123, Laws of Florida, includes several requirements for a qualified patient to receive an order for medical cannabis:

1. First, patients must schedule a face-to-face consultation with a qualified physician who has undergone the training required to order cannabis for patients. You can find a complete list of qualified physicians here. Physicians may only order cannabis for a patient if he or she has treated them for the immediately preceding three months.
2. To qualify for medical cannabis, a patient must be diagnosed with a terminal condition that is attested to by his or her physician. That diagnosis must be confirmed by a second independent evaluation from a board-certified physician in an appropriate specialty for that condition. Finally, patients must have considered all other treatment options for the terminal condition currently approved by the United States Food and Drug Administration.
3. The physician must obtain written informed consent of the patient or the patient's legal guardian to treat with medical cannabis that includes:
 - An explanation of the currently approved products and treatments for the patient's terminal condition.
 - An attestation that the patient concurs with his or her physician in believing that all currently approved products and treatments are unlikely to prolong the patient's life.
 - Identification of the specific investigational drug, biological product, or device that the patient is seeking to use.
 - A realistic description of the most likely outcomes of using the investigational drug, biological product, or device. The description shall include the possibility that new, unanticipated, different, or worse symptoms might result and death could be hastened by the proposed treatment. The description shall be based on the physician's knowledge of the proposed treatment for the patient's terminal condition.
 - A statement that the patient's health plan or third-party administrator and physician are not obligated to pay for care or treatment consequent to the use of the investigational drug, biological product, or device unless required to do so by law or contract.
 - A statement that the patient's eligibility for hospice care may be withdrawn if the patient begins treatment with the investigational drug, biological product, or device and that hospice care may be reinstated if the treatment ends and the patient meets hospice eligibility requirements.
 - A statement that the patient understands he or she is liable for all expenses consequent to the use of the investigational drug, biological product, or device and that liability extends to the patient's estate, unless a contract between the patient and the manufacturer of the investigational drug, biological product, or device states otherwise.
4. The physician enters the order of medical cannabis for the named patient in the Compassionate Use Registry and updates the registry to reflect the contents of the order. The physician must deactivate the patient's registration when treatment is discontinued.
5. The physician maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the medical cannabis. The physician submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of medical cannabis on patients.
6. Finally, a patient may fill their order at a qualified dispensing organization. The dispensing organization will verify the identity of the patient or legal representative, as well as the order in the Compassionate Use Registry. A dispensing organization may not dispense more than a 45 day supply.
7. The use of medical cannabis does NOT include the following:
 - The possession, use or administration of medical cannabis by smoking.
 - The transfer of medical cannabis to a person other than the qualified patient for whom it was ordered.
 - The use of medical cannabis on any form of public transportation, in any public place, in a qualified patient's place of employment, if restricted by his or her employer, in a state correctional institution, on the grounds of a preschool, primary school, or secondary school or any school bus or vehicle.

Learn more:
CompassionateUse
@flhealth.gov

