

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

SB 7002 — OGSR/Information Relating to Medical Marijuana Held by the Department of Health
by Health Policy Committee

The bill amends s. 381.987, F.S., to save from repeal the public records exemption for certain personal identifying information of patients, caregivers, and physicians held by the Department of Health (DOH) relating to Florida's medical marijuana program.

Specifically, the section being saved from repeal makes confidential and exempt from the public records requirements of s. 119.07(1), F.S., and Art. I, s. 24(a), State Constitution:

- A patient's or caregiver's personal identifying information held in the DOH's medical marijuana use registry (MMUR);
- All personal identifying information collected for the purpose of issuing MMUR identification cards;
- All personal identifying information pertaining to a physician certification for medical marijuana; and
- A qualified physician's Drug Enforcement Administration (DEA) number, residential address, and government-issued identification card.

The section requires the DOH to allow access to confidential and exempt information under specified circumstances and specifies that any information released by the DOH remains confidential and exempt and that the person who receives the information must maintain the information's confidential and exempt status.

The bill also makes two non-substantive, stylistic, or statutory clean-up changes.

Under preexisting law, the public records exemption would stand repealed on October 2, 2022, unless reviewed and reenacted by the Legislature under the Open Government Sunset Review Act. This bill removes the scheduled repeal of the exemption in order to continue the confidential and exempt status of the information.

If approved by the Governor, these provisions take effect October 1, 2022.

Vote: Senate 38-0; House 116-0