

A bill to be entitled
An act relating to the Department of Health; amending s. 381.4019, F.S.; revising the definition of the term "dental health professional shortage area"; defining the term "low-income"; deleting the definition of the term "medically underserved area"; revising eligibility requirements for dentists and dental hygienists participating in the Dental Student Loan Repayment Program; amending s. 381.986, F.S.; revising the definition of the term "low-THC cannabis"; revising requirements for department approval of qualified physicians and medical directors of medical marijuana treatment centers; deleting obsolete language; prohibiting medical marijuana treatment center cultivating, processing, or dispensing facilities from being located within a specified distance of parks, child care facilities, or facilities providing early learning services; authorizing counties and municipalities to approve a dispensing facility within such distance under certain circumstances; providing that the subsequent establishment of any park, child care facility, early learning facility, or school after the approval of a medical marijuana treatment center's cultivating, processing, or dispensing facility does not affect the

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26 continued operation or location of the approved
27 cultivating, processing, or dispensing facility;
28 exempting cultivating, processing, or dispensing
29 facilities approved before a specified date from such
30 distance requirements; amending s. 391.308, F.S.;
31 revising duties of the department in administering the
32 Early Steps Program; revising provisions related to
33 transitioning children from the Early Steps Program to
34 school district programs; amending s. 391.3081, F.S.;
35 revising provisions relating to the Early Steps
36 Extended Option to conform to changes made by the act;
37 amending s. 456.074, F.S.; requiring the department to
38 issue an emergency order suspending the license of a
39 health care practitioner arrested for committing or
40 attempting, soliciting, or conspiring to commit murder
41 in this state or another jurisdiction; amending s.
42 1004.551, F.S.; revising requirements for the micro-
43 credential component of specialized training provided
44 by the University of Florida Center for Autism and
45 Neurodevelopment; providing an effective date.
46

47 Be It Enacted by the Legislature of the State of Florida:

48
49 **Section 1. Paragraphs (a) and (e) of subsection (1),**
50 **paragraphs (a) and (b) of subsection (2), and paragraph (b) of**

51 **subsection (4) of section 381.4019, Florida Statutes, are**
52 **amended to read:**

53 381.4019 Dental Student Loan Repayment Program.—The Dental
54 Student Loan Repayment Program is established to support the
55 state Medicaid program and promote access to dental care by
56 supporting qualified dentists and dental hygienists who treat
57 medically underserved populations in dental health professional
58 shortage areas or medically underserved areas.

59 (1) As used in this section, the term:

60 (a) "Dental health professional shortage area" means a
61 geographic area, an area with a special population, or a
62 facility designated as such by the Health Resources and Services
63 Administration of the United States Department of Health and
64 Human Services.

65 (e) "Low-income," with respect to a person, means a person
66 who meets the criteria specified in s. 766.1115(3)(e) "Medically
67 underserved area" means a geographic area, an area having a
68 special population, or a facility which is designated by
69 department rule as a health professional shortage area as
70 defined by federal regulation and which has a shortage of dental
71 health professionals who serve Medicaid recipients and other
72 low-income patients.

73 (2) The department shall establish a dental student loan
74 repayment program to benefit Florida-licensed dentists and
75 dental hygienists who:

76 (a) Demonstrate, as required by department rule, active
77 employment in a public health program or private practice that
78 serves ~~Medicaid recipients and other~~ low-income patients and is
79 located in a dental health professional shortage area ~~or a~~
80 ~~medically underserved area~~; and

81 (b) Volunteer 25 hours per year providing dental services
82 in a free clinic that is located in a dental health professional
83 shortage area or ~~a medically underserved area~~, through another
84 volunteer program operated ~~under~~ by the state pursuant to part
85 IV of chapter 110, or through a pro bono program approved by the
86 Board of Dentistry. In order to meet the requirements of this
87 paragraph, the volunteer hours must be verifiable in a manner
88 determined by the department.

89 (4) A dentist or dental hygienist is not eligible to
90 receive funds under the loan program if the dentist or dental
91 hygienist:

92 (b) Ceases to provide services to low-income patients
93 ~~participate in the Florida Medicaid program~~.

94 **Section 2. Paragraph (f) of subsection (1), paragraphs (a)**
95 **and (c) of subsection (3), paragraph (h) of subsection (4),**
96 **paragraph (a) of subsection (8), and paragraphs (a) and (c) of**
97 **subsection (11) of section 381.986, Florida Statutes, are**
98 **amended to read:**

99 381.986 Medical use of marijuana.—

100 (1) DEFINITIONS.—As used in this section, the term:

101 (f) "Low-THC cannabis" means a plant of the genus
102 ~~Cannabis, whether growing or not the dried flowers of which~~
103 ~~contain 0.8 percent or less of tetrahydrocannabinol and more~~
104 ~~than 10 percent of cannabidiol weight for weight; the seeds~~
105 thereof; the resin extracted from any part of such plant; and
106 every ~~or any~~ compound, manufacture, salt, derivative, mixture,
107 or preparation of such plant or its seeds or resin, excluding
108 edibles; which contains 0.8 percent or less of
109 tetrahydrocannabinol and 2 percent cannabidiol, weight for
110 weight, which ~~that~~ is dispensed from a medical marijuana
111 treatment center.

112 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—

113 (a) Before being approved as a qualified physician and
114 ~~before each license renewal~~, a physician must successfully
115 complete a 2-hour course and subsequent examination offered by
116 the Florida Medical Association or the Florida Osteopathic
117 Medical Association which encompass the requirements of this
118 section and any rules adopted hereunder. Qualified physicians
119 must renew the course certification biennially. The course and
120 examination must be administered at least annually and may be
121 offered in a distance learning format, including an electronic,
122 online format that is available upon request. The price of the
123 course may not exceed \$500.

124 (c) Before being employed as a medical director ~~and before~~
125 ~~each license renewal~~, a medical director must successfully

126 complete a 2-hour course and subsequent examination offered by
127 the Florida Medical Association or the Florida Osteopathic
128 Medical Association which encompass the requirements of this
129 section and any rules adopted hereunder. Medical directors must
130 renew the course certification biennially. The course and
131 examination must be administered at least annually and may be
132 offered in a distance learning format, including an electronic,
133 online format that is available upon request. The price of the
134 course may not exceed \$500.

135 (4) PHYSICIAN CERTIFICATION.—

136 (h) ~~An active order for low-THC cannabis or medical~~
137 ~~cannabis issued pursuant to former s. 381.986, Florida Statutes~~
138 ~~2016, and registered with the compassionate use registry before~~
139 ~~June 23, 2017, is deemed a physician certification, and all~~
140 ~~patients possessing such orders are deemed qualified patients~~
141 ~~until the department begins issuing medical marijuana use~~
142 ~~registry identification cards.~~

143 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

144 (a) The department shall license medical marijuana
145 treatment centers to ensure reasonable statewide accessibility
146 and availability as necessary for qualified patients registered
147 in the medical marijuana use registry and who are issued a
148 physician certification under this section.

149 1. As soon as practicable, but no later than July 3, 2017,
150 the department shall license as a medical marijuana treatment

151 center any entity that holds an active, unrestricted license to
152 cultivate, process, transport, and dispense low-THC cannabis,
153 medical cannabis, and cannabis delivery devices, under former s.
154 381.986, Florida Statutes 2016, before July 1, 2017, and which
155 meets the requirements of this section. In addition to the
156 authority granted under this section, these entities are
157 authorized to dispense low-THC cannabis, medical cannabis, and
158 cannabis delivery devices ordered pursuant to former s. 381.986,
159 Florida Statutes 2016, ~~which were entered into the compassionate~~
160 ~~use registry before July 1, 2017,~~ and are authorized to begin
161 dispensing marijuana under this section on July 3, 2017. The
162 department may grant variances from the representations made in
163 such an entity's original application for approval under former
164 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

165 2. The department shall license as medical marijuana
166 treatment centers 10 applicants that meet the requirements of
167 this section, under the following parameters:

168 a. As soon as practicable, but no later than August 1,
169 2017, the department shall license any applicant whose
170 application was reviewed, evaluated, and scored by the
171 department and which was denied a dispensing organization
172 license by the department under former s. 381.986, Florida
173 Statutes 2014; which had one or more administrative or judicial
174 challenges pending as of January 1, 2017, or had a final ranking
175 within one point of the highest final ranking in its region

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176 under former s. 381.986, Florida Statutes 2014; which meets the
177 requirements of this section; and which provides documentation
178 to the department that it has the existing infrastructure and
179 technical and technological ability to begin cultivating
180 marijuana within 30 days after registration as a medical
181 marijuana treatment center.

182 b. As soon as practicable, the department shall license
183 one applicant that is a recognized class member of *Pigford v.*
184 *Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers*
185 *Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed
186 under this sub-subparagraph is exempt from the requirement of
187 subparagraph (b)2. An applicant that applies for licensure under
188 this sub-subparagraph, pays its initial application fee, is
189 determined by the department through the application process to
190 qualify as a recognized class member, and is not awarded a
191 license under this sub-subparagraph may transfer its initial
192 application fee to one subsequent opportunity to apply for
193 licensure under subparagraph 4.

194 c. As soon as practicable, but no later than October 3,
195 2017, the department shall license applicants that meet the
196 requirements of this section in sufficient numbers to result in
197 10 total licenses issued under this subparagraph, while
198 accounting for the number of licenses issued under sub-
199 subparagraphs a. and b.

200 3. For up to two of the licenses issued under subparagraph

201 2., the department shall give preference to applicants that
202 demonstrate in their applications that they own one or more
203 facilities that are, or were, used for the canning,
204 concentrating, or otherwise processing of citrus fruit or citrus
205 molasses and will use or convert the facility or facilities for
206 the processing of marijuana.

207 4. Within 6 months after the registration of 100,000
208 active qualified patients in the medical marijuana use registry,
209 the department shall license four additional medical marijuana
210 treatment centers that meet the requirements of this section.
211 Thereafter, the department shall license four medical marijuana
212 treatment centers within 6 months after the registration of each
213 additional 100,000 active qualified patients in the medical
214 marijuana use registry that meet the requirements of this
215 section.

216 (11) PREEMPTION.—Regulation of cultivation, processing,
217 and delivery of marijuana by medical marijuana treatment centers
218 is preempted to the state except as provided in this subsection.

219 (a) A medical marijuana treatment center cultivating or
220 processing facility may not be located within 500 feet of the
221 real property that comprises a park as defined in s. 775.215(1),
222 a child care facility as defined in s. 402.302, a facility that
223 provides early learning services as specified in s. 1000.04(1),
224 or a public or private elementary school, middle school, or
225 secondary school. The subsequent establishment of any such park,

226 child care facility, early learning facility, or school after
227 the approval of the medical marijuana treatment center
228 cultivating or processing facility does not affect the continued
229 operation or location of the approved cultivating or processing
230 facility. A medical marijuana treatment center cultivating or
231 processing facility that was approved by the department before
232 July 1, 2026, is exempt from the distance restrictions from a
233 park, child care facility, or early learning facility.

234 (c) A medical marijuana treatment center dispensing
235 facility may not be located within 500 feet of the real property
236 that comprises a park as defined in s. 775.215(1), a child care
237 facility as defined in s. 402.302, a facility that provides
238 early learning services as specified in s. 1000.04(1), or a
239 public or private elementary school, middle school, or secondary
240 school unless the county or municipality approves the location
241 through a formal proceeding open to the public at which the
242 county or municipality determines that the location promotes the
243 public health, safety, and general welfare of the community. The
244 subsequent establishment of any such park, child care facility,
245 early learning facility, or school after the approval of the
246 medical marijuana treatment center dispensing facility does not
247 affect the continued operation or location of the approved
248 dispensing facility. A medical marijuana treatment center
249 dispensing facility that was approved by the department before
250 July 1, 2026, is exempt from the distance restrictions from a

251 park, child care facility, or early learning facility.

252 **Section 3. Paragraphs (a) and (j) of subsection (2) and**
253 **paragraphs (a) and (b) of subsection (7) of section 391.308,**
254 **Florida Statutes, are amended to read:**

255 391.308 Early Steps Program.—The department shall
256 implement and administer part C of the federal Individuals with
257 Disabilities Education Act (IDEA), which shall be known as the
258 "Early Steps Program."

259 (2) DUTIES OF THE DEPARTMENT.—The department shall:

260 (a) Annually prepare a grant application to the Federal
261 Government requesting the United States Department of Education
262 ~~for~~ funding for early intervention services for infants and
263 toddlers with disabilities and their families pursuant to part C
264 of the federal Individuals with Disabilities Education Act.

265 (j) Establish procedures for dispute resolution and
266 mediation as outlined in part C of the federal Individuals with
267 Disabilities Education Act ~~Provide a mediation process and if~~
268 ~~necessary, an appeals process for applicants found ineligible~~
269 ~~for developmental evaluation or early intervention services or~~
270 ~~denied financial support for such services.~~

271 (7) TRANSITION TO EDUCATION.—

272 (a) The department shall establish statewide uniform
273 protocols and procedures for transition to a school district
274 program for children with disabilities or to another program as
275 part of an individual family support plan pursuant to part C of

276 the federal Individuals with Disabilities Education Act At least
277 90 days before a child reaches 3 years of age, the local program
278 office shall initiate transition planning to ensure the child's
279 successful transition from the Early Steps Program to a school
280 district program for children with disabilities or to another
281 program as part of an individual family support plan.

282 (b) At least 90 days before a child reaches 3 years of
283 age, the local program office shall:

284 1. Notify the local school district in which the child
285 resides and the Department of Education that the child may be
286 eligible for special education or related services as determined
287 by the local school district pursuant to ss. 1003.21 and
288 1003.57, unless the child's parent or legal guardian has opted
289 out of such notification; and

290 2. Upon approval by the child's parent or legal guardian,
291 convene a transition conference that includes participation of a
292 local school district representative and the parent or legal
293 guardian to discuss options for and availability of services.

294 **Section 4. Subsections (5) of section 391.3081, Florida
295 Statutes, is amended to read:**

296 391.3081 Early Steps Extended Option.—

297 (5) TRANSITION TO EDUCATION.—The department shall
298 establish statewide uniform protocols and procedures for
299 transition to a school district program for children with
300 disabilities or to another program as part of an individual

301 family support plan pursuant to part C of the federal
302 Individuals with Disabilities Education Act.

303 ~~(a) At least 90 days before the beginning of the school~~
304 ~~year following the fourth birthday of a child enrolled in the~~
305 ~~Early Steps Extended Option, the local program office shall~~
306 ~~initiate transition planning to ensure the child's successful~~
307 ~~transition from the Early Steps Extended Option to a school~~
308 ~~district program under part B of the federal Individuals with~~
309 ~~Disabilities Education Act or to another program as part of an~~
310 ~~individual family support plan. Specifically, the local program~~
311 ~~office shall:~~

312 ~~1. Notify the Department of Education and the local school~~
313 ~~district in which the child resides that the eligible child is~~
314 ~~exiting the Early Steps Extended Option, unless the child's~~
315 ~~parent or legal guardian has opted out of such notification; and~~

316 ~~2. Upon approval by the child's parent or legal guardian,~~
317 ~~convene a transition conference that includes participation of a~~
318 ~~local school district representative and the parent or legal~~
319 ~~guardian to discuss options for and availability of services.~~

320 ~~(b) The local program office, in conjunction with the~~
321 ~~local school district, shall modify a child's individual family~~
322 ~~support plan, or, if applicable, the local school district shall~~
323 ~~develop or review an individual education plan for the child~~
324 ~~pursuant to ss. 1003.57, 1003.571, and 1003.5715 which~~
325 ~~identifies special education or related services that the child~~

326 ~~will receive and the providers or agencies that will provide~~
327 ~~such services.~~

328 ~~(e) If a child is found to be no longer eligible for part~~
329 ~~B of the federal Individuals with Disabilities Education Act~~
330 ~~during the review of an individual education plan, the local~~
331 ~~program office and the local school district must provide the~~
332 ~~child's parent or legal guardian with written information on~~
333 ~~other available services or community resources.~~

334 **Section 5. Present paragraphs (d) through (hh) of**
335 **subsection (5) of section 456.074, Florida Statutes, are**
336 **redesignated as paragraphs (e) through (ii), respectively, and a**
337 **new paragraph (d) is added to that subsection, to read:**

338 456.074 Certain health care practitioners; immediate
339 suspension of license.—

340 (5) The department shall issue an emergency order
341 suspending the license of any health care practitioner who is
342 arrested for committing or attempting, soliciting, or conspiring
343 to commit any act that would constitute a violation of any of
344 the following criminal offenses in this state or similar
345 offenses in another jurisdiction:

346 (d) Section 782.04, relating to murder.

347 **Section 6. Paragraph (f) of subsection (1) of section**
348 **1004.551, Florida Statutes, is amended to read:**

349 1004.551 University of Florida Center for Autism and
350 Neurodevelopment.—There is created at the University of Florida

351 the Center for Autism and Neurodevelopment.

352 (1) The center shall:

353 (f) Develop an autism micro-credential to provide
354 specialized training in supporting students with autism.

355 1. The micro-credential must be stackable with the autism
356 endorsement and be available to:

357 a. Instructional personnel as defined in s. 1012.01(2);

358 b. Prekindergarten instructors as specified in ss.

359 1002.55, 1002.61, and 1002.63; and

360 c. Child care personnel as defined in ss. 402.302(3) and
361 1002.88(1)(e).

362 d. Early intervention service providers credentialed
363 through the Early Steps Program.

364 2. The micro-credential must require participants to
365 demonstrate competency in:

366 a. Identifying behaviors associated with autism.

367 b. Supporting the learning environment in both general and
368 specialized classroom settings.

369 c. Promoting the use of assistive technologies.

370 d. Applying evidence-based instructional practices.

371 3. The micro-credential must:

372 a. Be provided at no cost to eligible participants.

373 b. Be competency-based, allowing participants to complete
374 the credentialing process either in person or online.

375 c. Permit participants to receive the micro-credential at

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376 any time during training once competency is demonstrated.

377 4. Individuals eligible under subparagraph 1. who complete
378 the micro-credential are eligible for a one-time stipend, as
379 determined in the General Appropriations Act. The center shall
380 administer stipends for the micro-credential.

381 **Section 7.** This act shall take effect July 1, 2026.