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## Regulatory Update: Practice Standards for Smokable Medical Marijuana

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In 2019, recognizing the will of the voters and facing unfavorable legal outcomes, the Legislature removed the statutory prohibition on smokable medical marijuana. Section 381.986(4)(e), Florida Statutes, directs the Board of Medicine and the Board of Osteopathic Medicine to promulgate rules on the practice standards for the certification of smoking as a route of administration by July 1, 2021.

The Board of Medicine and Board of Osteopathic Medicine's Joint Committee on Medical Marijuana met in February 2020 for initial discussion. The Joint Committee was hesitant to adopt standards for fear it would appear as an endorsement of smokable medical marijuana. Ultimately, the members were able to work through their concerns to fulfil the legislative directive.

The Joint Committee met again on March 11, and after some wordsmithing, voted to approve draft language on the practice standards for smokable medical marijuana and update the standardized informed consent for medical marijuana. This language still must be approved by the full Board of Medicine and Board of Osteopathic Medicine in April and May, respectively, before going into effect.

[Click here to read](#) the DRAFT Rules 64B8-9.0181, F.A.C. and 64B15-14.0131 - Standards for the Issuance of a Physician Certification for Smoking Marijuana as an Appropriate Route of Administration.

[Click here to read](#) the DRAFT Rules 64B8-9.018, F.A.C. and 64B15-14.013 - Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana.

Please note: There is a possibility that the full boards at their next meetings will amend the proposed rules as linked above. The Joint Committee is also scheduled to meet again on April 15, which presents another opportunity to modify the rules. As a reminder, once the rules are finalized, physicians will be subject to Board discipline against their licenses for violating the standards set forth in the rule.

FMA members who have any questions about these rules or the rulemaking process can contact our General Counsel's office at [legal@flmedical.org](mailto:legal@flmedical.org).

