

**Florida Sheriffs Association
Medical Marijuana Position Paper
February 2015**

Opening Statement

The Florida Sheriffs Association is in opposition of SB 528. In addition, Florida Sheriffs oppose the legalization of recreational marijuana and believe the future of “medical” marijuana is best left to the scientists and medical professionals at the Food and Drug Administration. However continuing to stand with the compassionate citizens of Florida, the Florida Sheriffs Association will not support legislation that extends beyond our following core principles.

Our Core Legislative Principles

1. Research shows that smoked marijuana is not medicine, but components of marijuana may have medicinal value. Therefore, medical marijuana must not be smoked and should be delivered in a manner that ensures safe and effective dosing for patients.
2. If medical marijuana is authorized as a form of treatment it should be permitted only for the following:
 - a. Cancer, epilepsy, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis, paraplegia, and quadriplegia. Exceptions could be made for the terminally ill.
 - b. A patient must not receive medical marijuana for general “pain” because pain is not a disease. Pain is one of five vital signs assessed by a medical professional, which also includes temperature, pulse, respirations, and blood pressure.
3. A federal waiver should be sought to allow a Florida research institution to study and publish academic research on the medicinal value of marijuana.
4. Only a licensed medical doctor (MD) or osteopathic physician (DO) may recommend medical marijuana as outlined in 2.a.
 - a. Doctors must also have an active DEA Registration Number. Too many licensed physicians have lost their DEA number due to overprescribing controlled substances; these same unscrupulous physicians should not have the ability to refer patients for medical marijuana. Requiring an MD or a DO to also have an active DEA number ensures the doctor is in good standing with prescribing other controlled substances.
5. A licensed “caregiver” must receive and then certify a predetermined level of medical training. A “caregiver” cannot be a felon or be under the age of 18.

6. If medical marijuana is permitted a qualifying patient must be a Florida resident and have an established relationship with a licensed MD or DO for at least 90 days before receiving a referral.
7. An affirmative action must be taken by a county commission in order to permit the cultivation, manufacturing, and distribution of medical marijuana.
8. Any legislation must require and adequately fund the inspection and enforcement of the cultivation, manufacturing, and distribution of medical marijuana, including the ability of local law enforcement to inspect licensed facilities without a warrant.
9. Any state legislation must also prohibit:
 - a. The use of medical marijuana by anyone other than a qualifying patient.
 - b. The recommendation of medical marijuana without parental/guardian consent.
 - c. The operation of any vehicle, aircraft, train, or boat while under the influence of marijuana.
 - d. Any accommodation of any on-site medical use of marijuana in any correctional institution or detention facility or place of education or employment.
 - e. The repeal of laws relating to negligence or professional malpractice on the part of the manufacturer, distributor, qualified patient, caregiver, or MD or DO.