



April 18, 2017

SB 406

## **Testimony from Jesse Kelley, Legislative Counsel, Marijuana Policy Project**

Dear Senate Appropriations Subcommittee on Health and Human Services:

My name is Jesse Kelley, and I am legislative counsel at the Marijuana Policy Project, the largest marijuana policy reform organization in the United States. MPP has been working to improve marijuana policy for 20 years.

I am testifying in tentative support of SB 406 because it is a viable option for implementation of Amendment 2, which was passed by 71.3% of Florida voters last November. Because the amendment specifies July 3, 2017, as the date rules must be adopted for implementation, it is increasingly critical for lawmakers to agree on suitable rules before the end of session.

### **Medical Marijuana Treatment Centers and Marketplace Expansion**

An effective medical marijuana law must create a way for patients to obtain in-state access to marijuana that does not rely on federal cooperation — in other words, private, state-regulated growers and dispensaries. One of the most important issues in any medical marijuana program is patient access through a sufficient number of dispensaries.

SB 406 would sanction the creation of five (5) additional medical marijuana treatment centers (MMTCs) by October 2017 and would further permit the Department of Health to issue additional licenses when the number of registered patients increases to specific thresholds. The additional MMTCs outlined in SB 406 are an example of implementation progressing in a positive direction.

Nevertheless, we are concerned that the vertical licensing structure and the disproportionate number of licenses to population could lead to an inadequate number of dispensaries and increased inaccessibility for patients. Under SB 406, as of October 2017, only 12 dispensaries would serve the state, meaning the number of treatment centers would be one (1) for every 1,566,776 Florida residents — a ratio greater than any other state with a medical marijuana program.<sup>1,2</sup>

Ideally, the state health department would register and regulate four categories of businesses that would produce, process, dispense, and test medical cannabis products.

---

<sup>1</sup> Based on the population of Florida as of the 2010 United States Census.

<sup>2</sup> The number of dispensaries per resident in states that allow medical marijuana dispensaries ranges from the lowest 10,432 in Colorado to the highest 1,483,223 in New Jersey.

Those are: cultivators, product manufacturers, dispensaries, and laboratories. It would be unreasonable for a commercial pharmacy like CVS or Walgreens to also manufacture the medicines they sell; doing so would surely result in fewer choices and inferior products, probably at higher prices.

MPP requests that the bill continue to include the scheme for additional MMTCs and that the subcommittee discuss the benefits of licensing diversification.

**Jesse Kelley, Esq.**  
**Legislative Counsel**  
**Marijuana Policy Project**  
**P.O. Box 77492**  
**Capitol Hill**  
**Washington, D.C. 20013**  
**(202) 462-5747**