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## The 2014 Florida Statutes

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[Title XXIX](#)

PUBLIC HEALTH

[Chapter 381](#)

PUBLIC HEALTH: GENERAL PROVISIONS

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### **381.987 Public records exemption for personal identifying information in the compassionate use registry.—**

(1) A patient's personal identifying information held by the department in the compassionate use registry established under s. [381.986](#), including, but not limited to, the patient's name, address, telephone number, and government-issued identification number, and all information pertaining to the physician's order for low-THC cannabis and the dispensing thereof are confidential and exempt from s. [119.07\(1\)](#) and s. 24(a), Art. I of the State Constitution.

(2) A physician's identifying information held by the department in the compassionate use registry established under s. [381.986](#), including, but not limited to, the physician's name, address, telephone number, government-issued identification number, and Drug Enforcement Administration number, and all information pertaining to the physician's order for low-THC cannabis and the dispensing thereof are confidential and exempt from s. [119.07\(1\)](#) and s. 24(a), Art. I of the State Constitution.

(3) The department shall allow access to the registry, including access to confidential and exempt information, to:

(a) A law enforcement agency that is investigating a violation of law regarding cannabis in which the subject of the investigation claims an exception established under s. [381.986](#).

(b) A dispensing organization approved by the department pursuant to s. [381.986](#) which is attempting to verify the authenticity of a physician's order for low-THC cannabis, including whether the order had been previously filled and whether the order was written for the person attempting to have it filled.

(c) A physician who has written an order for low-THC cannabis for the purpose of monitoring the patient's use of such cannabis or for the purpose of determining, before issuing an order for low-THC cannabis, whether another physician has ordered the patient's use of low-THC cannabis. The physician may access the confidential and exempt information only for the patient for whom he or she has ordered or is determining whether to order the use of low-THC cannabis pursuant to s. [381.986](#).

(d) An employee of the department for the purposes of maintaining the registry and periodic reporting or disclosure of information that has been redacted to exclude personal identifying information.

(e) The department's relevant health care regulatory boards responsible for the licensure, regulation, or discipline of a physician if he or she is involved in a specific investigation of a violation of s. [381.986](#). If a health care regulatory board's investigation reveals potential criminal activity, the board may provide any relevant information to the appropriate law enforcement agency.

(f) A person engaged in bona fide research if the person agrees:

1. To submit a research plan to the department which specifies the exact nature of the information requested and the intended use of the information;

2. To maintain the confidentiality of the records or information if personal identifying information is made available to the researcher;

3. To destroy any confidential and exempt records or information obtained after the research is concluded; and

4. Not to contact, directly or indirectly, for any purpose, a patient or physician whose information is in the registry.

(4) All information released from the registry under subsection (3) remains confidential and exempt, and a person who receives access to such information must maintain the confidential and exempt status of the information received.

(5) A person who willfully and knowingly violates this section commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(6) This section is subject to the Open Government Sunset Review Act in accordance with s. [119.15](#) and shall stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

**History.**—s. 1, ch. 2014-158.