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## *Cannabis Industry*

### FLORIDA OPENS THE DOOR FOR NEW MMTC LICENSE APPLICATIONS!



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By: [Richard M. Blau](#), Regulated Products Section Chair

The Florida Department of Health (DOH), acting through its Office of Medical Marijuana, is preparing to double the number of licenses available for medical marijuana treatment centers (MMTC) by **allowing up to 22 additional licenses to operate**. Following calls by Governor Ron DeSantis for MMTC application fees to better reflect the market value of these licenses, the new rule will also double the cost of filing an application.

#### **The Details**

DOH recently issued [Emergency Rule 64ER22-9](#) (New ER), which amends the original application review process. Specifically, instead of a single application round, the New ER provides for a “batching cycle.” This allows Florida regulators to conduct a comparative review of multiple applications for a specified number of available MMTC licenses during a five-day application window.

**DOH will accept new applications for MMTC licenses from April 24, 2023, through April 28, 2023.**

Any person desiring to apply for licensure as an MMTC must submit to the DOH, during the application window, a completed application that complies with the instructions and requirements contained in **Form DH8052-OMMU-12/12/2022**, “Medical Marijuana Treatment Center License Application Instructions, Requirements, and Forms.” The application must be accompanied by payment of a non-refundable application fee.

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### Increased MMTC License Application and License Renewal Fees

Under the New ER, DOH also requires a **non-refundable application fee of \$146,000** to accompany any new MMTC license application. The fee, which will be due each time an applicant applies, is more than double the previous \$60,830 application fee.

DOH also recently issued [Emergency Rule 64ER22-10](#), which increases the costs of medical marijuana operators to renew their licenses. In Florida, MMTC operators are required to renew their licenses every two years. The amended renewal fee requirement is based on a formula, which includes the amount of money it costs the state to regulate the industry. According to documents released by DOH, **the amended renewal fee will be \$1,223,124.42 for all license renewals due between January 1, 2023, and December 31, 2024.**

Industry observers expect there will be a significant number of applicants for these new Florida MMTC licenses. Moreover, the applications are extensive and detailed, requiring the disclosure of substantial information and documentation. Accordingly, interested applicants should begin the process of preparing a suitable application immediately.

For more information, or assistance in applying for one of the new Florida MMTC licenses scheduled to be awarded during the first new "batching cycle," contact the **GrayRobinson Cannabis Industry Team** at **866.382.5132** or [cannabislaw@gray-robinson.com](mailto:cannabislaw@gray-robinson.com).



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Richard M. Blau is the chair of the GrayRobinson Regulated Products Section, leading its legal guidance, compliance, and support services for the alcohol beverage, cannabis, food, and tobacco products industries.

The GrayRobinson Cannabis Industry Team focuses on the rules and regulations that govern the cultivation and production, processing, distribution, sale and dispensing of medical marijuana, hemp, Cannabidiol (CBD) and related cannabis products. Blau has been rated by *Chambers USA* since 2007, and was among the first lawyers in America to be rated Band 1 Nationwide for Cannabis Law. He also is listed in *Best Lawyers in America*, and is "AV" rated by *Martindale-Hubbell*. A substantial portion of Blau's professional efforts are focused on trade regulations, litigation and dispute resolution involving regulated products, including medical marijuana, hemp, CBD and related cannabis derivatives. He has been involved extensively with the legalization of cannabis in Florida since its outset with passage of the Compassionate Medical Cannabis Act of 2014 (SB 1030) into law on June 6, 2014. Blau also has represented several investors in the cannabis industry, advising principals on compliance issues associated with Florida MMTC license acquisitions.