

160685B

Letter to City  
Plan Board,  
1/25/17, from

Ms. Dottie Baker

**Mimms, Dean L.**

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**From:** Mimms, Dean L.  
**Sent:** Wednesday, January 25, 2017 9:56 AM  
**To:** Adam J. Tecler (adam.tecler@gmail.com); Bob Ackerman (robertpackerman@gmail.com); Bryan S. Williams (bryan@mcgriffwilliams.com); Dave Ferro ; Erin Condon (CondonEP@cityofgainesville.org); Robert P. Hyatt (rob.hyatt@gm.sbac.edu); Stephanie Sutton (Suttonsa@cityofgainesville.org); Terry Andrew Clark (terryandrewclark@gmail.com)  
**Cc:** Thomas, Wendy C; Persons, Andrew W.; Figueroa, Norma  
**Subject:** Letter re medical marijuana  
**Attachments:** CityMarijuanaRecommendations1.25.17.pdf

Good morning all,

Please see the e-mail below and the attached letter from Ms. Dottie Baker, Executive Director of the Alachua County Health and Wellness Coalition.

They are now part of the record for Petition PB-16-185 TCH.

Ms. Baker told me that she plans to attend the meeting tomorrow evening.

Thank for your continuing service as a Plan Board member.

Dean

**From:** HPW Coalition [<mailto:hpwcoalition@gmail.com>]  
**Sent:** Wednesday, January 25, 2017 8:10 AM  
**To:** Mimms, Dean L.  
**Subject:** Request for Consideration

Dear Mr. Mimms,

Thank you for taking the time to speak with me yesterday, you are always so accommodating.

I have attached the letter which will be delivered today as a formal request to the Planning Board.

Please consider delivery to the planning committee for consideration. Please call with your concerns.

Regards,

**Dottie Baker, Executive Director**  
**Alachua County Health Promotion and Wellness Coalition**  
**3615 SW 13th Street**  
**Gainesville, FL 32608**  
**Cell: 352 222 1969**

**Alachua County Health Promotion and Wellness Coalition****Board of Directors***In alphabetical order*

Ms. LaShay Anderson,  
Secretary  
Ms. Veita Jackson-Carter  
Dr. Virginia Dodd  
Dr. Laura Guyer  
Mr. Jeff Feller  
Ms. Gwen Love,  
Parliamentarian  
Mr. Alan Paulin  
Rev. Gregory Pelham-Chair  
Mr. Fremon Williams-VChair  
Ms. Joyce Wilson, Treasurer  
Ms. Dottie Baker,  
Executive Director

**VISION**

*To improve both individual and community quality of life through diverse community partnerships formed to strengthen health-related programs, activities, and advocacy in Alachua County*

**MISSION**

*To foster community cooperation and partnerships among individuals, programs, and agencies in Alachua County:*

- 1) *to reduce and/or prevent youth substance use;*
- 2) *to identify and/or address gaps in programming needs and services;*
- 3) *to aid in coordinating services, improving programs; and*
- 4) *to address identified needs related to health promotion, prevention, and wellness services for children, adolescents, and adults*

January 25, 2017

City of Gainesville Planning Board  
200 East University Ave.  
Gainesville, FL 32601

Dear City of Gainesville Planning Board,

Please consider the following listing as our agencies request for consideration for the significant concerns we have in moving forward with the November passing of Florida Constitutional Amendment #2. I would like to extend our thanks and appreciation to Save Our Society From Drugs for their efforts for comprising such a comprehensive listing of the issues.

To date, twenty-nine states and the District of Columbia have passed varying types of medical marijuana laws. Of those, twenty-four have operating programs, and more specifically, Arkansas, Florida, Louisiana, Ohio, North Dakota and Pennsylvania are in the implementation process.

Many states with established medical marijuana programs have experienced negative impacts to public health and safety, such as increased youth use and treatment admission rates, increased emergency room admissions and increased traffic fatalities. There is legitimate concern that if proactive legislative efforts are not taken promptly, the state, county and city's populations will experience similar negative impacts.

Furthermore, Alachua County Health Promotion and Wellness recognizes the limitations you are presented while considering our concerns. However, we think it prudent to present our concerns consistently, by providing everyone with a detailed comprehensive outline. We ask only that you review and consider our following recommendations when constructing your plans.

**Recommended Legislative Actions to Prevent Widespread Program Abuses****Physicians and Patients**

1. Require all physicians who wish to recommend marijuana as a medicine to complete the training that is required for physicians who recommend low-THC under current Florida statute.
2. Require the Florida Surgeon General to draft best practices for recommending marijuana as medicine as well as standard of care guidelines for ongoing use.
3. Require all physicians who recommend marijuana to use the prescription drug monitoring program.
4. Require Florida Board of Medicine to adopt rules for physicians recommending marijuana for pain.

**Office located at:**3615 SW 13<sup>th</sup> Street, Suite 4, Gainesville, FL 32608

Tel: (352) 244-0628 • Fax (352) 244-0668

[hpwcoalition@gmail.com](mailto:hpwcoalition@gmail.com)[www.hpwcoalition.com](http://www.hpwcoalition.com)**Major support from:**

CDS Family & Behavioral Health Services, Inc.  
Community Coalition Alliance



5. Establish penalties for physician misconduct in regards to recommending marijuana.
6. Clearly define physician-patient relationship to include, at minimum, a requirement that physicians must have treated the patient for at least 90 days before recommending the use of marijuana, and the physician must maintain an ongoing treatment plan and complete a full in-person examination and risk analysis.
7. Require that any recommendation for marijuana to a minor be made by pediatric specialists who specialize in the condition being treated and that the recommendation must come from two separate physicians.
8. Prohibit the issuance of marijuana recommendations to pregnant individuals and require that all females of child bearing age be tested for pregnancy prior to any recommendation.

#### **Caregivers**

1. Must not have been previously convicted of a felony or drug related crime.
2. Must not serve more than 5 patients at any given time.
3. Must be with an immediate family member or have received medical training and is legally qualified in the administration of medications.

#### **Marijuana and Marijuana Infused Product**

1. Prohibit smoking as a delivery form for the use of medical marijuana.
2. Ban marijuana infused products that resemble candy.
3. Cap THC levels for marijuana and marijuana infused products.
4. Prohibit infusion of marijuana into trademark products
5. Develop procedures for testing marijuana and marijuana infused products for pesticides, fungus and other containments.
6. Limit the amount of marijuana and marijuana infused products that can be purchased in a 30-day period.
7. Require warning labels and content labels on all retail marijuana and products that reflect purity and potency.
8. Require all marijuana be tested and certified free of pesticides, mold, and other contaminants before it can be sold in any form and further require reporting of these test results to the public on an annual basis.

#### **Public Safety Issues**

1. Adopt an Open container law for marijuana similar to what exists for alcohol in order to prohibit use by passengers in vehicles.
2. Prohibit residential BHO (Butane Honey Oil) extraction.
3. Prohibit the use of medical marijuana in prison, jails and detention centers and by those on probation and parole.
4. Prohibit the state/county/city registration of home day care centers if owner is a medical marijuana patient.
5. Prohibit the possession and use of medical marijuana on school grounds and at school related activities including state colleges, universities, and community colleges.
6. Prohibit the use of marijuana in public places and prohibit the use of marijuana within 1,500 feet of schools and playgrounds.
7. Maintain a "zero tolerance" impairment law that considers any detection of THC metabolite in a driver as a DUI.
8. Require all drivers in traffic accidents involving injuries requiring medical attention or fatalities to be tested within 2 hours of the accident for THC metabolite.
9. Require that when drivers undergo alcohol testing for any reason that testing for THC metabolite occur also.

**Marijuana Dispensaries and Cultivation Facilities**

1. Determine zoning for dispensaries and cultivation facilities and allow local government to make additional restrictions when necessary.
2. Limit the number of cultivation facilities and dispensaries that are allowed to exist in the state/county/cities.
3. Prohibit marijuana vending machines.
4. Require the posting of warning signs on the dangers of marijuana for pregnant women.
5. Hold dispensaries that process marijuana infused food products to the same standards as other businesses that process food.
6. Prohibit the use of marijuana on-site.
7. Prohibit minors on the premises.
8. Require marijuana cultivation centers and dispensaries to operate as Drug-Free Workplaces consistent with Florida Law.
9. Require use of a seed to sale tracking system to limit the diversion of marijuana to the black market.
10. Establish rules for marijuana delivery services that include background checks, age restrictions and insurance requirement for drivers. Prohibition on delivery services being conducted by a third party.
11. Establish **ONE** state/county/city approved identity specific logo requiring dispensaries display at all times.
12. Prohibit the use of any cartoon characters or any similar depiction, marijuana leaves or paraphernalia to be used in the marketing of dispensaries, products or physician services. Establish marketing restrictions consist with tobacco requirements.

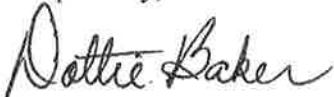
**Additional Recommendations**

1. State/county/city provide adequate funding to develop and roll out a youth marijuana use prevention campaign comparable to Florida's Tobacco Free Youth Program.
2. Require the Department of Justice to study how medical marijuana laws impact public health and safety in the state and report back to the legislature and the public on findings at six month, one year and two intervals.
3. Prohibit minors from being employed in the marijuana related industry in any capacity.

In closing, our agency and our representatives are available to present, discuss or debate our concerns.

Thank you for your kind consideration to this matter.

Respectfully,



Dottie Baker, Executive Director