

Florida

MMTC Application Outline (2023)



Florida MMTC Application Outline

An outline of the application for a Medical Marijuana Treatment Center in Florida.

Words in pink are items that the client should especially be aware of and ensure that they are confident they will be able to provide the information or documentation. Cann Strategy works with real estate brokers in Florida who will be able to assist in identifying locations and negotiating for LOIs with landlords.

Applicants must submit an application that contains the information and materials requested in Part 4 of these Application Instructions and arranged in the following format and order. Applications must be electronically bookmarked by section or subsection in the order below. The electronic bookmark's name must match the names below (for example, "Section 4.1 – Applicant Information").

General Business Background Information

- Section 4.1 – Applicant Information (Form)
- Section 4.2 – Declaration of Exempt Information
- Subsection 4.3.1 – Florida Business Registration
 - ✓ Business license for past 5 years
 - ✓ A letter or other certification directly originating from the DOS certifying the applicant's registration to do business in Florida for the previous five consecutive years.
- Subsection 4.3.2 – Level 2 Background Screening
 - ✓ Each owner and manager of the applicant must submit a full set of fingerprints to a LiveScan Service Provider for purposes of background screening (LiveScan requires in-person fingerprinting)

Cultivation Specific

- Subsection 4.4.1 – Cultivation Plan
- Subsection 4.4.2 – Cultivation Infrastructure
 - ✓ Among other things, must **propose a cultivation facility** location
 - ✓ **Floor Plan**
- Subsection 4.4.3 – Ability to Secure Cultivation Infrastructure
 - ✓ Must at a minimum have identified cultivation location that you **INTEND to secure**, and the plan for securing said property. (Securing a location via LOI with a landlord would be beneficial)

Processing Specific

- Subsection 4.5.1 – Processing Plan
- Subsection 4.5.2 – Processing Infrastructure
 - ✓ Among other things, **must propose a processing facility** location
 - ✓ **Floor Plan**
- Subsection 4.5.3 – Ability to Secure Processing Infrastructure
 - ✓ Must at a minimum have identified processing location that you **INTEND to secure**, and the plan for securing said property. (Securing a location via LOI with a landlord would be beneficial)

Dispensing Specific

- Subsection 4.6.1 – Dispensing Plan
 - Propose number of dispensaries and jurisdictions
- Subsection 4.6.2 – Dispensing Infrastructure
 - **Must propose dispensary addresses (don't have to lease or own already, but do need to have locations identified and ideally have an LOI in place with the landlord to lease or buy pending licensure)**
 - Must identify delivery vehicles to be used for transport
 - o Subsection 4.6.2 Addendum (**LOIs, Floor plans**)
- Subsection 4.6.3 – Ability to Secure Dispensing Infrastructure
- Subsection 4.7.1– Premises Security
 - o Subsection 4.7.1 Addendum (Security equipment layout on floor plans)
- Subsection 4.7.2 – IT Security
- Subsection 4.7.3 – Diversion, Unlawful Access, and Transportation
- Subsection 4.7.4 – Personnel Screening and Training
- Subsection 4.7.5 – Recalls

Business Experience and Planning

- Subsection 4.8.1 – Experience in the Marijuana Industry (Applicant)
- Subsection 4.8.2 – Other Relevant Experience
- Subsection 4.8.3 – Business Plan
- Subsection 4.8.4 – Prior Enforcement Action
- Subsection 4.9.1 – Experience in the Marijuana Industry (Medical Director)
 - **The Medical Director must hold an active, unrestricted license as a physician under Chapter 458, Florida Statutes or as an osteopathic physician under Chapter 459, Florida Statutes.**

- They must also complete a 2-hour CME course and examination titled Florida Medical Marijuana Course for MMTTC Medical Directors.
- Subsection 4.9.2 – Other Relevant Experience
 - o Subsection 4.9.2 Addendum
- Subsection 4.9.3 – Oversight
- Subsection 4.9.4 – Managing Conflicts of Interest
- Subsection 4.9.5 – Medical Director Acknowledgment and Certificate of Course Completion
- Subsection 4.10.1 – Personnel Qualifications
 - Provide an organizational structure
 - Identify Directors for:
 - Security
 - Cultivation
 - Processing
 - Retail
 - o Subsection 4.10.1 Addendum
- Subsection 4.10.2 – Drug Free Workplace
- Subsection 4.10.3 – Personnel Training
- Subsection 4.11.1 – Diversity Plan
- Subsection 4.11.2 – Implementation of Diversity Plan

Financials

- Subsection 4.12.1 – Certified Financial Statements
 - Certified financial statements must be prepared in accordance with U.S. Generally Accepted Accounting Principles (GAAP) and audited in accordance with U.S. Generally Accepted Auditing Standards (GAAS) by a Certified Public Accountant, licensed pursuant to Chapter 473, F.S., or licensed by another state.
- Subsection 4.12.2 – Available Funding
 - Startup financial plan
 - Narrative about source and use of funds available
 - o Subsection 4.12.2 Addendum
 - ✓ documentation evidencing your ability to provide the financial assurance
 - ✓ documentation evidencing the availability and commitment of the dedicated funds
- Subsection 4.12.3 – Projected Budget
 - o Subsection 4.12.3 Addendum
 - ✓ 2-year operating budget

- ✓ 2 years of projected income statements, in chart form

- ~~Subsection 4.13.1 – Ownership Information for Individual (Natural Person) Applicants~~
- Subsection 4.13.2 – Ownership Information for Entity Applicants

- Must be able to provide:

- ✓ Full names of managing partner and all other partner(s);
- ✓ Percentage of ownership interests in partnership;
- ✓ Business/corporate address(es);
- ✓ Taxpayer identification number;
- ✓ Incorporation date;
- ✓ Articles of incorporation;
- ✓ Partnership agreements, joint venture documents, articles of partnership, operating agreements, shareholder agreements, buy/sell agreements, if any; and
- ✓ Charter, bylaws, and any other governance documents, if any.

- Subsection 4.13.3 – Capitalization Tables, Change of Control, and Related Entities

Provide:

- A fully diluted capitalization table listing all share types and the aggregate sum of shares associated with or flowing to any natural persons, whether considered owners or investors.
- In addition, identify the natural person owners and natural person beneficiaries of all entities listed on the capitalization table. See the Department’s Definitions Rule for the applicable definitions and attribution of ownership.
- If the applicant or an owner of the applicant is a publicly traded corporation, the capitalization table must:
 - ✓ List all share types and aggregate sum of shares associated to any officers and directors
 - ✓ List the share types and aggregate sum of shares associated to any investor who acquired shares during the issuance of a private placement offering or any other type of offering in which shares were acquired by pre-selected investors and institutions (private equity investors), as opposed to shares acquired on the open market by public investors
 - ✓ List the share types and aggregate sum of shares associated to the entirety of public investors (“shares held in public float”), as opposed to company officers, directors, private equity investors, or any other shareholder considered an owner.

- All agreements concerning control of the applicant, or change of control (if any), including changes to management, owners, partners, or investors, regardless of whether the change is contingent or vested
 - Identify all entities related to the applicant (if any), including parent companies, subsidiary companies, sister companies, and any other affiliated companies and provide all documents of these related entities that pertain to the ownership or control of the applicant.
- Section 4.14 – Applicant Acknowledgment (Form 3A, Form 3B)
 - ~~Section 4.15 – *Pigford* and *BFL* Documentation~~