

Virginia Board of Pharmacy

INFORMATION REGARDING MEDICAL CANNABIS IN VIRGINIA

Legislative Timeline

- 2015: provided an affirmative defense for the possession of CBD oil or THC-A oil, initially to alleviate intractable epilepsy.
- 2016 and 2017: authorized the establishment of the 5 pharmaceutical processors to produce and dispense these oils.
- 2018: expanded the use of these oils to any diagnosed condition or disease, upon recommendation from any physician.
- 2019: expanded authority to issue written certifications to nurse practitioners and physician assistants, created “registered agent” registration category, and authorized wholesale distribution of oils between pharmaceutical processors
- 2020: removed the definitions of cannabidiol oil and THC-A oil and replaced them with a definition of cannabis oil, allows for the use of telemedicine for patient care, in compliance with federal requirements for prescribing drugs in Schedules II-V, allows for up to 5 cannabis dispensing facilities per health service area that are owned, at least in part, by the pharmaceutical processor permitted for that health service area, and access to cannabis oils for individuals that temporarily reside in Virginia.
- 2021-allowance for the dispensing of botanical cannabis products. 4 ounces of botanical cannabis may be dispensed in a 30 day period. The amount of botanical cannabis dispensed is included in the total amount of medical cannabis products allowed to be dispensed within a 90 day period.

Pharmaceutical Processors

- In December 2018 the Board of Pharmacy awarded conditional approval to five pharmaceutical processors for the purpose of cultivating Cannabis plants for the production of CBD oil and/or THC-A oil, and to dispense these oils to patients registered by the Board of Pharmacy.
- Five pharmaceutical processors were authorized, one in each health service area.
- Currently, 4 pharmaceutical processors have been permitted, Dharma Pharmaceuticals, LLC in Abingdon, Columbia Care Eastern Virginia, LLC in Portsmouth, Green Leaf Medical of Virginia, Inc. in Richmond and Dalitso, LLC in Manassas. The conditional approval for the fifth pharmaceutical processor was rescinded in June 2020. The Board opened a Request for Application for awarding conditional approval to a pharmaceutical processor in Health Service Area I in the fall of 2020. The permit has not yet been awarded.
- Medical cannabis products are currently available for dispensing at each of the four pharmaceutical processor dispensaries. It is anticipated that botanical cannabis will be available for dispensing in the Fall of 2021.
- **CBD products currently available at retail establishments are likely produced from industrial hemp. The Virginia Department of Agriculture and Consumer Services (VDACS) oversees the industrial hemp program. Questions regarding these products may be directed to VDACS.**

Board Registration Process

- Any patient interested in accessing medical cannabis for treatment or to alleviate the symptoms of any diagnosed condition or disease determined by a practitioner to benefit from such use, must register with the Board of Pharmacy by completing an on-line application process.
- If the patient is a minor or incapacitated adult, the patient's parent or legal guardian must also register with the Board of Pharmacy by completing a separate, on-line application process.
- If the patient has designated a registered agent to obtain the medical cannabis on their behalf, the registered agent must also complete a separate, on-line application process.
- The patient must provide documentation of identification and legal residence within Virginia.
- A practitioner of medicine or osteopathy licensed by the Board of Medicine, a physician assistant licensed by the Board of Medicine, or a nurse practitioner jointly licensed by the Board of Medicine and the Board of Nursing must diagnose the patient. This practitioner must also be registered as a Practitioner for Medical Cannabis with the Board of Pharmacy. If the practitioner determines that the patient can benefit from the use of medical cannabis for treatment or to alleviate the symptoms of any diagnosed condition or disease, then the practitioner may provide the patient with a written certification form.
- After receiving a written certification from the prescriber, the patient must submit an application to the board for a board registration. Proof of identification and residency, a copy of the written certification form, along with the registration fee must be submitted to the board with the application. An application for the parent/legal guardian must also be submitted when the patient is a minor or incapacitated adult. Once the registration is issued, the patient should carry the board registration card and the written certification form any time the patient is in possession of the medical cannabis product. If applicable, the parent, legal guardian or registered agent should carry the board registration card and the written certification when in possession of the medical cannabis.
- The board registration is valid for one year and must be renewed annually to remain valid. The written certificate is also valid for one year, unless the practitioner indicates a shorter period of time.

Additional Information

- For additional information and updates regarding medical cannabis, please refer to the Board of Pharmacy website at:
<https://www.dhp.virginia.gov/Pharmacy/PharmaceuticalProcessing/default.htm>
- Updated Information for Patients – July 1, 2021
https://www.dhp.virginia.gov/Pharmacy/PharmaceuticalProcessing/docs/eNotice_Patient07012021.pdf
- Updated information for Practitioners – July 1, 2021
https://www.dhp.virginia.gov/Pharmacy/PharmaceuticalProcessing/docs/eNotice_Practitioner07012021.pdf