

From: Virginia Board Pharmacy
Date: June 30, 2023
Subject: Medical Cannabis: Updated Information



Medical Cannabis Program: Updated Information

As a registered practitioner for medical cannabis please review this information and, where appropriate, share it with patients that you provide a written certification for the use of medical cannabis products.

2023 Legislative Changes

The 2023 General Assembly session resulted in several changes to the medical cannabis program. Of most interest to registered practitioners for medical cannabis are changes made as a result of HB1896/SB137, HB1598/SB788 and HB2368. You may find information on these bills here: <https://viriniageneralassembly.gov/>.

Practitioner Registration

Effective July 1, 2023, HB1896/SB1337 remove the requirement for a practitioner of medicine or osteopathy, or 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 to register with the Board of Pharmacy prior to issuing a written certification for medical cannabis to a patient for treatment or to alleviate the symptoms of any diagnosed condition or disease determined by the practitioner to benefit from such use.

New Medical Cannabis Patient Registration System

The Board of Pharmacy is developing a new patient registration system that is anticipated to be fully accessible within the next few weeks. This system will allow a practitioner to complete a digital written certification for the patient, which will in turn provide the patient with a digital medical cannabis card. The patient will still have the option to register with the Board of Pharmacy if they choose, and at that time, would be provided with a digital registered medical cannabis patient card. To access the system, practitioners must complete a brief enrollment process. Practitioners may begin enrolling in the system now and are required to enroll even if you have previously registered with the Board. You will not be able to access the system until you enroll. The Board encourages you to enroll as soon as possible so that you will be able to immediately access the digital written certification in the coming weeks. Practitioners may enroll by clicking here: <https://patients.va.biotr.ac/>. Directions to complete the enrollment are attached to this email. Within the next few weeks,

you will receive additional communication regarding utilizing this site to provide patients with their written certification.

Registration Requirements for Agents

Effective July 1, 2023, HB2368 removes the requirement for a registered agent to register with the Board of Pharmacy if their name appears on the written certification for medical cannabis that is provided to the patient. If the agent's name is not on the written certification, the individual intending to act as the patient's agent, must register with the Board of Pharmacy. The practitioner may add the agent's name to the written certification in the appropriately designated section.

As a reminder, a patient, or parent/legal guardian of a patient, may chose an individual to act as their agent to obtain medical cannabis products on the patient's behalf. Additionally, an agent, registered with the Board of Pharmacy or notated on the written certification, may only act in this capacity for two patients.

Medical Cannabis Program to Transition to the Virginia Cannabis Control Authority

HB1598/SB788 authorize the transition of the medical cannabis program from the Board of Pharmacy to the Virginia Cannabis Control Authority (VCCA) effective January 1, 2024. The Board of Pharmacy and the VCCA are working together to facilitate a smooth transition of the program.

Pharmaceutical Processors and Cannabis Dispensing Facilities

Currently, there are four permitted pharmaceutical processors and all four processor dispensaries are open for dispensing medical cannabis products to patients. These pharmaceutical processors are: Dharma Pharmaceuticals, LLC, Abingdon; Columbia Care Eastern Virginia, LLC, Portsmouth; Dalitso, LLC, Manassas; and Green Leaf Medical of Virginia, Inc., Richmond. In addition, there are currently 16 cannabis dispensing facilities open which are located in: Alexandria, Arlington, Fairfax, Sterling, Hampton, Norfolk, Virginia Beach, Williamsburg, Carytown, Colonial Heights, Glen Allen, Bristol, Christiansburg, Danville, Lynchburg and Salem.

Revised Written Certification Form

A revised written certification form will be sent to all registered practitioners in a separate email. ***Practitioners must begin using the revised form to issue Written Certifications as of July 1, 2023.*** All previous versions of the Written Certification form are now outdated and should no longer be used to issue written certifications. Written Certifications issued prior to 7/1/2023 on the previous form will remain valid until its assigned expiration date or otherwise discontinued.

Issuing a written certification using an outdated form is non-compliant and may lead to disciplinary action. The Board will exercise enforcement discretion during the month of July while practitioners incorporate this new form into their daily practice. Enforcement will begin as of August 1, 2023. Patients presenting a written certification on an outdated form that

was issued on August 1, 2023 or later will not be able to obtain medical cannabis until a written certification is issued using the current form.

To ensure you are utilizing the correct form as of July 1, 2023, the form has the Seal of Virginia at the top and the date of 7/2023 in the lower left corner. Additionally, the form must be completed in its entirety, may not be altered in any way, must include the full legal name of the patient (i.e., Robert, not Bob), and must reflect a Virginia residence for the patient (permanent or temporary but must not be a state other than Virginia). Two new fields have been added to the form: one for your medical license number and one for the agent's name. These fields must be completed by you or your designated staff. Additionally, please note that written certifications should not be post-dated. The form should be dated using the same date it was signed and issued.

Questions may be directed to cbd@dhp.virginia.gov or (804) 367-4456.