



Modes of Administration and Medical Cannabis Laws

The vast majority of the 38 comprehensive medical cannabis laws allow patients to administer medical cannabis through whatever method works best for them — be it whole-plant (flower), smoking or vaporization, tinctures, ointments, oils, or edibles.

Unfortunately, some laws prohibit patients from using the mode of administration that may be the most effective and affordable for them. Two laws only allow extracts — not whole-plant cannabis — which are more costly.^[1] Six states forbid smoking medical cannabis ^[2] — even while tobacco smoking is legal nationwide, and cannabis is not linked to lung cancer. And three states prohibit manufactured edibles ^[3], which can be important for steady relief for chronic conditions.

MPP recommends allowing patients, in consultation with trained dispensary staff, to decide for themselves which mode of administration is most appropriate for them. States should enact rules to prevent packaging and products designed to minors, such as products shaped like animals or packaging with cartoons.

Here is an overview of medical cannabis states' policies permissible on modes of administration.

State	Limit on Modes of Administration?	Notes
Alabama	Raw plant, smoking, vaporization, candies, and baked goods are not allowed.	Pills, gelatin cubes, lozenges, oils, suppositories, nebulizers, and patches are allowed. Regulators will develop a single, uniform flavor for lozenges.
Alaska	None known	
Arizona	None known	In 2019, the Arizona Supreme Court ruled that extracts — and edibles made from them — are allowed. (<i>Arizona v. Jones</i>)
Arkansas	None known	
California	None known	
Colorado	None known	
Connecticut	None known	
Delaware	None known	
Florida	None known	The legislature banned flower and smoking, which were allowed in the voter-enacted amendment. After a lawsuit, the legislature reversed itself.

State	Limit on Modes of Administration?	Notes
Hawaii	None known	Edibles were not allowed until a 2020 change in the law.
Illinois	None known	
Kentucky	Smoking is not allowed	Cannabis for vaporization can only be sold to patients who are 21
Louisiana	Smoking and flower is prohibited, as is any other inhalation other than metered-dose inhalation.	Initially, no inhalation was allowed. In 2019, the state allowed metered-dose inhalation (but not smoking). In May 2021, the Louisiana Legislature approved allowing raw cannabis/smoking. The bill now heads to Gov. Edwards' desk.
Maine	None known	
Massachusetts	None known	
Maryland	None known	
Michigan	None known	A court ruled that extracts and edibles made from them were not allowed under Michigan's original law, but the legislature approved allowing and regulating them in fall 2016.
Minnesota	Lozenges and gums are allowed, but most forms of edibles are not.	The law initially only allowed administration via liquids, oils, and pills. Raw plant cannabis, including smoking, was allowed legislatively in May 2021. The health commissioner may allow more types of administration.
Mississippi	Cannabis flower cannot exceed 30% THC. Tinctures, oils, and concentrates may not exceed 60%.	
Missouri	None known	
Montana	None known	
Nevada	None known	
New Hampshire	None known	
New Jersey	None known	Edibles for adults were not initially allowed, but legislation that passed in July 2019 will allow them.
New Mexico	None known	

State	Limit on Modes of Administration?	Notes
New York	Medical marijuana may not be smoked. Any form not expressly approved by the health commissioner is prohibited.	In 2017, the health department approved adding these types of cannabis preparations: lotions, ointments, patches, chewable tablets, lozenges, and ground, whole-plant cannabis. (All whole-plant was previously prohibited.)
North Dakota	Edibles and concentrates are not permitted.	Whole-plant cannabis (flower) is permitted, but doctors must specifically certify patients to use this form of cannabis.
Ohio	Smoking is prohibited. Vaporization is allowed.	Raw cannabis and extracts are capped at 35% and 70% THC respectively under the law.
Oklahoma	None known	
Oregon	None known	
Pennsylvania	Smoking is prohibited, as are commercially manufactured edibles.	Whole-plant cannabis (flower) was initially prohibited, but the Department of Health issued recommendations to allow it following a report from an advisory board.
Rhode Island	None known	
South Dakota	None known	
Utah	Smoking is prohibited. Edibles are permitted if they are gelatinous cubes or lozenges.	Patients are only allowed to obtain and possess marijuana products in the following form: flower (in child-resistant containers), tablets, capsules, concentrated oil, liquid suspension, resin or wax, topicals, transdermal patches, sublingual preparations, and lozenges/gummies (but must be in a cube or rectangular shape).
Vermont	None known	
Virginia	None known	
Washington	None known	
Washington, D.C.	None known	
West Virginia	Smoking is prohibited. Dispensaries cannot sell edibles, but medical cannabis products can be mixed into food or drinks by patients themselves.	Initially, raw flower was not allowed, but the legislature expanded the law. The only types of medical cannabis allowed are pills, oils, gels, creams, ointments, tinctures, liquids, and forms for administration through vaporization.

[1] The states that only allow extracts are Alabama and Louisiana. Prices are incredibly high in Louisiana and Minnesota,

while sales have not yet begun in Alabama. Minnesota, New York, Pennsylvania, Virginia, and West Virginia initially limited their programs to extracts but expanded the modes of administration.

[2] The states that forbid smoking are Alabama, Kentucky, Louisiana, Minnesota, New York, Ohio, Pennsylvania, Utah, and West Virginia. While Virginia does not explicitly prohibit smoking, it does not allow flower.

[3] Those states are: North Dakota, Pennsylvania, and West Virginia.