



## HB46 expands Compassionate Use Program

During the 2025 legislative session, the Texas legislature expanded the very limited Texas Compassionate Use Program (TCUP) into a more comprehensive program. The House of Representatives passed the original version of HB46 in a 122-21 vote on May 13, 2025. This version greatly expanded the program from its previous parameters. When transmitted to the Senate, it was highly amended by the Senate State Affairs Committee. HB46 was further amended on the Senate floor and passed in a 31-0 vote on Tuesday, May 27. On May 30, the House rejected the Senate amended version and the legislation went to conference committee. Both houses concurred with the conference committee on June 1. The final conference bill was sent to Gov. Greg Abbott (R), who is expected to sign the legislation into law in June.

The final version of HB46 includes many improvements to the embattled TCUP program. Those improvements include:

- Adding chronic pain (pain that lasts longer than 90 days and cannabis is deemed a viable option); Crohn's Disease; and Traumatic Brain Injury. Additionally, terminal illnesses and people under hospice care qualify as qualifying conditions.
- Adding methods of delivery to include: lotions, patches, suppositories, pulmonary inhalation with approved nebulizers, and inhalers and vaporizers (when directed by a doctor).
- Inhalation devices will be approved by the Department of State Health Services.
- Replacing the current limit of 1% THC by weight with an up to 10mg dose and a package not to exceed 1 gram of THC.
- Recommendations will be good for nine months with four 90 days refills (patients can purchase medicine allotment over the course of the 90 days).
- The Department of Public Safety shall issue twelve more licenses for dispensing organizations (15 total). Dispensing organizations must become operational within 24 months after the license is issued.
- Those providers will be able to open satellite brick-and-mortar dispensaries.
- Dispensed cannabis will be monitored by the Texas Board of Pharmacy via the Prescription Monitoring Program.
- Any person owning 10% or more in a dispensing organization will need to submit fingerprints for background checks.
- Patient Privacy Protection: Information within the registry regarding patient identification, including the fact that a person is listed as a patient in the registry, is confidential and may only be accessed by the department, registered physicians, and dispensing organizations. On request by a patient, the department may release patient information contained in the registry to the patient or a person designated by the patient.