



Overview of Texas' Compassionate Use Program

On June 21, 2025, Gov. Greg Abbott (R) signed HB46 into law, expanding the low-THC Texas Compassionate Use Program (TCUP). Gov. Abbott signed the extremely restrictive original version of TCUP into law in 2015. Lawmakers and the governor slowly expanded the program over the years. With the improvements made in 2025, Texas' law now meets the criteria MPP and many other organizations use to define a comprehensive medical cannabis program, although it remains quite restrictive.

Among [other improvements](#), starting on September 1, 2025, HB 46 will:

- Expand qualifying conditions, including by adding chronic pain
- Add modes of delivery, including non-smoked inhalation
- Expand the number of licensees from three to 15, while allowing satellite locations
- Replace the 1% THC limit with a 1 gram of THC per package limit.

The Compassionate Use Program allows regulated businesses known as “dispensing organizations” to cultivate, process, and distribute low-THC cannabis preparations to certain patients. It does not allow smoking or raw cannabis. Texas law requires that qualified doctors join a physician registry and include information in the registry itself such as the dosage recommendations, means of administration, and the total amount of low-THC cannabis required to fill the patient's prescription. In several respects, the Texas law attempts to mimic the prescription system put in place by federal authorities. Texas is the only state to use this approach to medical cannabis.

How do patients qualify for the program?

A physician may prescribe low-THC cannabis to patients under certain conditions. The patient must be a permanent resident of the state and be diagnosed with a qualifying condition. In addition, the physician must determine that the risk of the medical use of low-THC cannabis by a patient is reasonable in light of the [potential benefit](#).

How does a physician qualify to prescribe low-THC cannabis?

A physician may prescribe low-THC cannabis under the Texas law if they are licensed to make such prescriptions, and they must have proof of one or more board certifications in a medical specialty relevant to the treatment of each patient's particular medical condition by a specialty board approved by the American Board of Medical Specialties or the Bureau of Osteopathic Specialists.

What medical conditions are included?

The approved medical conditions for which low-THC cannabis may be prescribed are: amyotrophic lateral sclerosis (ALS), autism, epilepsy, incurable neurodegenerative diseases, multiple sclerosis, seizure disorder, spasticity, PTSD, and cancer. Starting on September 1, 2025, patients can also qualify if they have chronic pain (continuous or intermittent severe pain lasting more than 90 days), traumatic brain injury, Chohn's disease, terminal diseases, or if they are admitted to hospice care.

What protections do patients have?

Individuals who receive a prescription are protected from the application of criminal law for having marijuana in their possession, if it meets the definition of low-THC cannabis.

How much medical marijuana can patients possess?

The amount of low-THC cannabis a patient may possess is determined by the physician's prescription. A patient may obtain up to a 90-day refill at a time. Each package can have no more than 10 milligrams per serving and one gram per package.

What type of products and ways of using low-THC cannabis are allowed?

Edibles, topical balms and liquid products. Starting September 1, 2025, the program also allows lotions, transdermal patches, suppositories, and approved inhalation devices including nebulizers, vaporizers and inhalers (when approved by prescribing doctor).

Can patients grow their own medical marijuana?

No. Only state-regulated dispensing organizations may cultivate marijuana.

Can patients have a caregiver pick up their medicine for them?

No. No person other than the patient for whom a prescription was issued and his or her legal guardian has protections from criminal law prohibiting possession of low-THC cannabis.

Can patients under the age of 18 participate?

Yes. In order to qualify, a second physician, also qualified to prescribe low-THC cannabis, must concur

that the benefit the patient would receive would outweigh the risk to the patient.

How much does medical marijuana cost?

Prices are set by individual medical marijuana dispensing organizations.

How do dispensing organizations operate?

Dispensing organizations cultivate marijuana plants, process them, and distribute low-THC cannabis directly to patients. They must be registered with the Department of Public Safety and will be subject to inspections by the agency, along with testing requirements for low-THC cannabis. In 2025, an additional 12 licenses for dispensing organizations were added — for a total of 15. The revised law now allows satellite locations, including brick-and-mortar storefronts. Those new licensees will have 24 months to become operational.

Does the state program recognize patients from other states?

No. Only patients who are permanent residents may qualify for a prescription.

Are there restrictions on where a patient can possess or consume medical marijuana?

No, none are specified in the language of the law.

Does the bill provide a workable system for Texans?

Texas has a unique way in which it approaches the therapeutic use of cannabis products. Texas continues to be the only state that has medical practitioners prescribe medical cannabis. So far, this has not been an issue, but the use of the term prescription still concerns many in the policy sphere due to federal law. With the improvements brought by the passage of HB46 in 2025, the Texas Compassionate Use Program is on track to be a much better functioning program that should better meet the needs of the state's patients as well as being a tightly regulated program that, so far, federal authorities have not interfered with.