



Medical Marijuana Protections in the 50 States

Since the 1970s, 49 states, the District of Columbia, Guam, Puerto Rico, and the Northern Mariana Islands have recognized the medical value of at least some strains of marijuana. These laws are intended to protect patients who need this medicine to treat their conditions (such as epilepsy or wasting syndrome) and maintain a reasonable quality of life. However, not all laws are created equal. Some are well constructed and allow those diagnosed with approved conditions access to the medication they need, while others restrict access to certain strains. Some are even rendered completely ineffective due to their failure to account for federal drug laws. Each of these laws can be placed into one of four categories:

I: Effective Medical Marijuana Laws

Currently, 32 states and the District of Columbia have enacted robust medical marijuana laws that provide, or will provide, meaningful access to medical marijuana for patients who need it. In order for a state to have an effective, comprehensive medical marijuana law, it must meet the following criteria:

1. Patients are provided protection from criminal convictions for the medical use and possession of marijuana;
2. There is some realistic means of patients obtaining in-state access to marijuana that does not rely on federal cooperation, typically through private, state-regulated dispensaries, home cultivation, or both;
3. The law allows for a variety of strains of marijuana, or extracts of marijuana, including both strains with higher and lower amounts of THC; and
4. The law allows patients to either smoke or vaporize marijuana, marijuana oils, or both.

Doctors or other practitioners typically must either certify that the patient has a qualifying condition, recommend medical marijuana, or both.

II: Workable CBD Laws

CBD-focused laws allow certain strains and preparations of marijuana to be administered to patients with intractable seizure disorders and sometimes additional diagnoses, provided they submit the required paperwork from physicians. These laws generally include a maximum THC content and a minimum CBD content. Unlike effective medical marijuana laws, these laws leave behind the vast majority of patients by leaving out strains with more than a modest amount of THC

— despite THC’s therapeutic benefits. While this is a serious limitation, workable CBD laws allow in-state production and access to the very limited strains of cannabis that are permitted.

III: Flawed CBD Laws

The vast majority of CBD laws fall under this category. These states fail to include any meaningful access to the product, by crafting laws that either have no means of access at all or that set up access that is unworkable in light of the fact that under federal law it is illegal to produce or prescribe almost any derivative of the genus cannabis. Some states require a prescription rather than a recommendation, which requires doctors to violate federal law. Many of these laws also only provide an affirmative defense for those permitted to possess CBD oil — which can be raised at a trial to prevent a conviction — rather than protection from arrest. Others rely on risk-averse institutions such as universities or pharmacies being willing to break federal law by growing and dispensing cannabis, or they require federal permission for the program to become operational. While many of these laws do not provide access, some states now allow for the cultivation and production of hemp, which can be a source of CBD products. However, most of those laws do not provide for testing to ensure the safety of the products.

IV: Flawed Medical Marijuana Laws

Similar to unworkable CBD laws, these are laws that lack realistic provisions for access to medical marijuana and are therefore rendered symbolic or that otherwise fall short of our definition of comprehensive medical marijuana laws. For example, they may use the word “prescribe” instead of “recommend” or limit access to clinical trials — which are rare, extremely expensive, almost exclusively short-term, and require federal approval. Thirty-four states and the District of Columbia enacted laws of this nature between 1978 and 1996. Since then, many of the same states have enacted CBD laws or effective medical marijuana laws. Column IV in the chart below includes the single state that has a flawed medical marijuana law and does not also have a law in another category — Louisiana. It is too soon to know for certain if the flaws in the state’s law and draft rules will ultimately result in an operational program. However, even if it does ultimately provide patients with cannabis, MPP will still not consider Louisiana’s law an effective medical cannabis law because patients are not allowed to administer their medicine by vaporizing or smoking cannabis.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Alabama				X	Alabama allows patients diagnosed with epilepsy and other neurological disorders causing serious seizures to have access to extracts that are “essentially free from plant material” and contain no more than 3% THC. Possession of substances that fit this description only entitles a patient to an affirmative defense in court and does not prevent an arrest. There is currently no meaningful in-state access to this medicine. The state also supported clinical trials of a cannabis-based medicine, Epidiolex.
Alaska	X				The Alaska Department of Health and Social Services issues medical marijuana cards to anyone diagnosed with cancer, HIV/AIDS, cachexia, severe pain, severe nausea, seizures, persistent muscle spasms, and any additional conditions at its discretion. The state does not allow medical marijuana dispensaries, but does permit home cultivation, and patients may possess one ounce of marijuana and up to six plants. After the passage of Ballot Measure 2 in 2014, anyone over 21 may possess the same quantities of marijuana as permitted under medical marijuana regulations. In addition, regulated stores opened in 2016 for adults who are 21 or older.
Arizona	X				Arizona patients with cancer, HIV/AIDS, hepatitis C, ALS, Crohn’s disease, glaucoma, Alzheimer’s disease, PTSD, severe and chronic pain, cachexia, severe nausea, seizures, or persistent muscle spasms can be issued a medical marijuana card from the Department of Health Services with a recommendation from a physician. As of mid-2018, about 130 dispensaries were open in Arizona; one is allowed for every 10 pharmacies. Patients can possess up to two and a half ounces of marijuana, and home cultivation is restricted to 12 plants kept in a locked facility for those who live further than 25 miles away from the nearest dispensary.
Arkansas	X				Arkansas patients with cancer, glaucoma, HIV/AIDS, hepatitis C, ALS, Tourette’s, Crohn’s disease, ulcerative colitis, PTSD, severe arthritis, fibromyalgia, Alzheimer’s, cachexia, peripheral neuropathy, intractable pain, severe nausea, seizures, and severe or persistent muscle spasms qualify for a medical marijuana card with a physician’s recommendation. The state expects to license five cultivation facilities and 32 dispensaries in 2018. Patients may possess up to two and a half ounces of marijuana. No home cultivation is allowed.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
California	X				Patients with any ailment qualify for medical marijuana with a doctor's recommendation. Health Department-issued ID cards are voluntary. Home cultivation is allowed, and medical marijuana patients are allowed to possess at least eight ounces of marijuana and six mature or 12 immature plants. Since early 2018, the state regulates and licenses a variety of types of medical cannabis businesses. (Previously, collectives and cooperatives dispensed cannabis.) In 2016, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana.
Colorado	X				Medical marijuana cards are issued by the Colorado Department of Public Health and Environment for qualified patients diagnosed with cancer, HIV/AIDS, glaucoma, severe pain, cachexia, severe nausea, seizures, and persistent muscle spasms. There are nearly 500 licensed medical marijuana centers in the state, each regulated by the Department of Revenue and local governments. Patients may possess up to two ounces of marijuana and six plants for home cultivation. Also, in 2012, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana.
Conn.	X				To qualify, adult patients must have one of about 30 conditions, including cancer, glaucoma, HIV/AIDS, Parkinson's disease, multiple sclerosis, epilepsy, wasting syndrome, Crohn's disease, PTSD, cerebral palsy, or any other condition added by the Connecticut Department of Consumer Protection. Fewer conditions qualify for minors. Unlike most medical marijuana states, there is no general qualifying condition for chronic or debilitating pain. The department issues medical marijuana cards and, as of fall 2018 has approved nine dispensary facilities and four growers and is evaluating additional applications for medical cannabis businesses. Patients are limited to a "one-month supply," currently 2.5 ounces, that is determined by the department.
Delaware	X				The Delaware Department of Health and Social Services issues medical marijuana cards to adult patients diagnosed with cancer, HIV/AIDS, ALS, decompensated cirrhosis, Alzheimer's, PTSD, debilitating pain that has either not responded to or produced serious side effects with traditional medication, terminal illness, glaucoma, autism with aggressive behavior, intractable nausea, seizures, persistent muscle spasms, and any condition added by the department of health. Fewer conditions qualify for minors. Three compassion centers are open as of mid-2018, with a fourth expected in 2019. Home cultivation is not allowed.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Florida	X				Florida patients with cancer, epilepsy, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), post-traumatic stress disorder (PTSD), amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis, chronic nonmalignant pain, "or other debilitating medical conditions of the same kind or class as or comparable to those enumerated," can be issued a medical marijuana card from the Department of Health with a recommendation from a physician. The department licenses medical marijuana treatment centers, which may have both a cultivation location and multiple dispensing locations. Home cultivation is not allowed.
Georgia				X	Georgia allows patients diagnosed with seizure disorders, cancer, ALS, multiple sclerosis, Crohn's disease, intractable pain, PTSD (for adults only), mitochondrial disease, autism in the case of minors, Tourette's syndrome, epidermolysis bullosa, Alzheimer's disease, AIDS, peripheral neuropathy, Parkinson's disease, or sickle cell disease to qualify for medical cannabis. Cannabis oil is restricted to 5% THC and must contain at least as much CBD. There is currently no way for patients to access cannabis oil in the state.
Hawaii	X				The Hawaii Department of Public Health issues medical marijuana cards to qualifying patients diagnosed with severe pain, cachexia or wasting syndrome, severe nausea, seizures, severe and persistent muscle spasms, HIV/AIDS, ALS, glaucoma, PTSD, rheumatoid arthritis, lupus, or any additional conditions approved by the department. A patient and caregiver can collectively possess 10 tagged plants and four ounces of useable marijuana. In 2016, the state licensed eight dispensaries, which are allowed up to two production and two retail locations each.
Idaho					Idaho is the only state with no laws recognizing medical cannabis or cannabinoids. In 2015, the governor vetoed a bill that would have provided an affirmative defense for the possession of cannabidiol oil for patients suffering from cancer, amyotrophic lateral sclerosis (ALS), seizure disorders, multiple sclerosis, Crohn's disease, mitochondrial disease, fibromyalgia, Parkinson's disease, or sickle cell disease.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Illinois	X				The Illinois Department of Public Health issues medical marijuana cards to qualified patients with any of around 40 medical conditions, including HIV/AIDS, PTSD, cancer, spinal cord injury or disease, multiple sclerosis, residual limb pain, and any other condition added by the Department of Public Health. Unlike most medical marijuana states, there is no general qualifying condition for chronic or debilitating pain. However, in 2018, the legislature approved allowing medical cannabis for any patient who is or could be prescribed opiates. Sixty dispensaries and 22 cultivation facilities are allowed. Patients can possess up to two and a half ounces of marijuana during a period of 14 days. Home cultivation is not allowed.
Indiana				X	Any person may buy, sell, and possess CBD oil, as long as it meets certain labeling requirements and contains no more than 0.3 percent THC. However, there is no clear provision allowing anyone to produce the CBD products in state.
Iowa			X		Patients diagnosed with terminal illness, multiple sclerosis, seizures, AIDS or HIV, Crohn's disease, amyotrophic lateral sclerosis, Parkinson's disease, cancer (in some cases), and untreatable pain will have access to oil capped at 3% THC. The state Department of Public Health has approved one manufacturing facility and five dispensaries.
Kansas				X	Kansas' definition of "marijuana" now excludes cannabidiol (CBD). State law separately bans tetrahydrocannabinols (THC), and most CBD products contain at least trace amounts of THC. The law does not provide for access to CBD oils.
Kentucky				X	Patients diagnosed with intractable seizure disorders may qualify for medical cannabidiol in Kentucky. Patients may only gain access to cannabidiol if they receive a written order from a doctor practicing at a hospital affiliated with a state university that has a medical school. While the CBD law itself did not provide for access, a separate industrial hemp law has provided a source of CBD-rich products.
Louisiana		X			Louisiana doctors may recommend medical marijuana to patients with conditions including chemotherapy-related symptoms, spastic quadriplegia, cachexia, seizure disorders, Crohn's disease, glaucoma, Parkinson's, muscular dystrophy, severe spasms, intractable pain, autism involving aggression or self-harm, and PTSD. The Board of Pharmacy is licensing up to 10 pharmacies to dispense cannabis, and the Department of Agriculture licensed two cultivators. The current rules require doctors to put their DEA licenses to prescribe controlled substances at risk by relying on them engaging in conduct that could be considered akin to writing a prescription (specifying dosages and amounts of marijuana). In addition, unlike laws MPP classifies as effective, the law fails to allow vaporization or smoking.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Maine	X				Medical marijuana cards are optional for patients and some caregivers in Maine. In 2018, the legislature significantly reworked the state’s law, including removal of the qualifying condition list — doctors can certify any patients they believe cannabis may help. Patients may possess up to eight pounds of marijuana and may grow up to six mature plants. There are currently eight dispensaries, six more will be licensed in 2019, and the cap will be removed in 2021. Caregivers may also grow for patients. Also, in November 2016, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana.
Maryland	X				Doctors can register patients with any severe condition “for which other medical treatments have been ineffective if the symptoms reasonably can be expected to be relieved by” cannabis. Physical ID cards are optional. The MMCC either licensed or gave pre-approval to 15 cultivators, 15 processors, and 102 dispensaries, the first of which opened in late 2017. Additional growers/processors will be allowed pursuant to a 2018 law. Patients are limited to 120 grams, unless a doctor recommends a greater amount as a 30-day supply.
Mass.	X				The Massachusetts Department of Public Health issues medical marijuana cards for patients diagnosed with cancer, glaucoma, HIV/AIDS, hepatitis C, ALS, Crohn’s disease, Parkinson’s disease, multiple sclerosis, or any other condition that substantially limits life activities as approved by a patient’s physician. The state is required to issue 35 licenses for medical marijuana treatment centers with no less than one, but no more than five, treatment centers in each county. The first dispensaries opened in June 2015. Patients are limited to a 60-day, 10-ounce supply, with exceptions to be specified by a physician. Additionally, for patients facing financial hardship or those who live far away from a dispensary, permission to grow at home in an enclosed, locked location is granted. Also, in November 2016, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Michigan	X				Medical marijuana cards are managed by Michigan's Department of Licensing and Regulatory Affairs (LARA), and are issued to patients diagnosed with cancer, HIV/AIDS, hepatitis C, ALS, Crohn's disease, nail patella, glaucoma, Alzheimer's, PTSD, severe and chronic pain, cachexia, severe nausea, seizures, severe and persistent muscle spasms, or any other conditions added by the department. In September 2016, the legislature and governor approved a law that allows LARA-licensed dispensaries, growers, processors, transporters, and testing laboratories. Licensing began in the summer of 2018. Patients or caregivers are allowed to grow up to 12 plants in an enclosed, locked location. Possession for medical purposes is limited to two and a half ounces.
Minn.	X				Minnesota's Department of Health issues medical marijuana cards for patients diagnosed with cancer, HIV/AIDS, Tourette's, ALS, seizures, severe spasms, Crohn's, terminal illnesses, PTSD, autism, obstructive sleep apnea, and any other conditions added by the department. Minnesota licensed two manufacturers, which may have up to four dispensaries each. The first dispensaries opened in 2015. Patients are limited to a 30-day supply as determined by a pharmacist, and smoking is not allowed.
Miss.				X	Qualifying patients with a debilitating epileptic condition in the state of Mississippi may possess CBD oil that contains at least 15% cannabidiol and no more than 0.5% THC. Any CBD oil must come from the University of Mississippi's Department of Pharmacy Service, though it is not clear whether possession of legal CBD oil would prevent arrest or merely allow an affirmative defense in court. Only three university-affiliated organizations could produce or possess this oil.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Missouri	X				<p>Passage of Amendment 2 through the ballot in 2018 will establish a functional medical marijuana program that enables access for a wide range of qualifying conditions, including cancer, HIV, glaucoma, severe pain, and many other conditions – provided the patient’s health care provider approves of the treatment. Patient applications will be made available in 2019, and dispensaries are expected to have medical marijuana products available for sale to registered patients by early 2020. With a cultivation registration card, patients and caregivers will also be able to cultivate up to six plants in their home. Previously, Missouri passed a law that allows patients with epilepsy who have not received successful treatment with at least three other medications to obtain cannabis extract oils with at least 5% cannabidiol and no more than 0.3% THC. These “hemp extracts” are produced in privately owned “cannabidiol oil care centers” that cultivate marijuana, process it into cannabis oil, and then send the oils to be extracted in a laboratory. Unlike most other low-CBD laws, this program has successfully provided in-state access to certain types of cannabis to some of the few patients who qualify. As of September 2018, 98 minors and 24 adults were issued cards.</p>
Montana	X				<p>Montana’s Department of Health and Human Services issues medical marijuana cards to patients suffering from cancer, HIV/AIDS, glaucoma, cachexia, intractable nausea or vomiting, seizure disorder, Crohn’s disease, painful peripheral neuropathy, PTSD, admittance to hospice care, and in some cases, severe pain or spasms. Patients or their providers can possess up to four mature plants, 12 seedlings, and one ounce of usable marijuana. A 2016 voter initiative created protections for dispensaries.</p>
Nebraska				X	<p>In 2014, lawmakers approved a law intended to allow the University of Nebraska Medical Center to conduct a pilot study on low-THC, high-CBD cannabis oils for patients with intractable seizures.</p>
Nevada	X				<p>Patients suffering from cancer, HIV/AIDS, glaucoma, PTSD, severe pain, cachexia, severe nausea, seizures, persistent muscle spasms, or any other condition approved by the Nevada Department of Health and Human Services are eligible to receive medical marijuana cards. Up to 66 dispensaries are allowed, as are growers, labs, and infused product manufacturers. The first dispensary opened in July 2015. Patients are allowed to possess up to two and a half ounces every 14 days and a set quantity of marijuana-infused products. Patients or caregivers authorized to grow marijuana may possess up to 12 plants. Also, in 2016, voters approved an initiative to allow adults 21 and older to use, buy, and, in some cases grow, marijuana.</p>

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
New Hampshire	X				The qualifying conditions are PTSD, moderate to severe chronic pain, or any injury or condition that produces one of the following: elevated intraocular pressure, cachexia, chemotherapy-induced anorexia, wasting syndrome, seizures, agitation of Alzheimer's disease, constant or severe nausea, moderate to severe vomiting, or severe, persistent spasms. As of July 2018, there were four dispensing locations in the state. The legislature authorized two of the dispensaries to have second locations in 2018. Patients may possess no more than two ounces of marijuana.
New Jersey	X				The New Jersey Department of Health and Senior Services issues medical marijuana cards to patients with ALS, multiple sclerosis, muscular dystrophy, inflammatory bowel disease, cancer, HIV/AIDS, PTSD, terminal illness, seizure disorders, intractable skeletal muscular spasticity, glaucoma, anxiety, certain types of chronic pain, migraine, muscular dystrophy, Tourette's Syndrome, and other conditions added by the department. As of July 2018, there were six "alternative treatment centers" producing and distributing medical cannabis. The state is accepting applications for up to six more ATCs. They may dispense two ounces per patient in a 30-day period.
New Mexico	X				The Department of Health issues medical marijuana cards to hospice patients and to patients suffering from severe chronic pain, cachexia, epilepsy, neuropathy, ALS, cancer, intractable nausea or vomiting, inclusion body myositis, hepatitis C, Crohn's disease, PTSD, glaucoma, multiple sclerosis, spinal chord damage with spasticity, certain types of arthritis, cervical dystonia, Parkinson's, HIV/AIDS, Huntington's disease, or any other conditions added by the health department. As of August 2018, there were more than 80 "licensed producer" locations (which grow and dispense cannabis). Patients are allowed to possess up to six ounces of cannabis. With a special permit, they may grow four mature plants and 12 seedlings.
New York	X				The New York Department of Health issues ID cards to patients suffering from cancer, HIV/AIDS, Parkinson's disease, multiple sclerosis, spinal cord damage, epilepsy, inflammatory bowel disease, ALS, neuropathies, PTSD, Huntington's disease, chronic pain under certain conditions, opiate use disorder, or any other condition added by the health commissioner. Opiate substitution also qualifies. The commissioner may also remove conditions from this list. Patients generally must also suffer from an associated condition: cachexia or wasting syndrome, severe or chronic pain, severe nausea, seizures, or severe or persistent muscle spasms. Ten manufacturers — with no more than four locations each — have been approved to dispense cannabis. Patients may possess a 30-day supply. Smoking is not permitted.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
North Carolina				X	North Carolina authorizes the use of hemp extracts with at least 5% CBD and no more than 0.9% THC for patients with intractable epilepsy. In 2016, the state began allowing industrial hemp cultivation, as long as it has no more than 0.3% THC.
North Dakota	X				The North Dakota Department of Health will issue ID cards to patients with a terminal illness, cancer, HIV/AIDS, hepatitis C, ALS, PTSD, Alzheimer's, dementia, Crohn's disease, fibromyalgia, spinal stenosis, glaucoma, epilepsy, a medical condition that produces cachexia or wasting, or, in some cases, severe and debilitating pain. Patients will be allowed to obtain up to a 30-day supply from eight regulated dispensaries. The state began issuing dispensary licenses in September 2018.
Ohio	X				In 2016, lawmakers passed a comprehensive medical marijuana law that will provide legal protections to patients with a doctor's certification who have been diagnosed with conditions including Alzheimer's disease, cancer, seizure disorders, glaucoma, hepatitis C, inflammatory bowel disease, multiple sclerosis, chronic or intractable pain, Parkinson's disease, positive status for HIV, PTSD, sickle cell anemia, spinal cord disease or injury, Tourette's syndrome, and traumatic brain injury. Other diseases or medical conditions may be added by the state medical board. Doctors must be trained and registered with the state to make recommendations. The first dispensaries were granted preliminary licenses in June 2018.
Oklahoma	X				The Oklahoma Department of Health issues medical marijuana licenses for patients with a doctor's recommendation. There is no list of qualifying conditions. Medical marijuana dispensaries may sell to patients. Patients are limited to possessing three ounces of marijuana (or eight at home), six mature plants, and six seedlings. They may possess up to an ounce of concentrates and 72 ounces of edible cannabis products.
Oregon	X				The Oregon Department of Human Services issues medical marijuana cards for patients diagnosed with cancer, HIV/AIDS, glaucoma, a degenerative or pervasive neurological condition, cachexia, severe pain, severe nausea, seizures, PTSD, persistent muscle spasms, and any other condition added by the health department. Medical marijuana dispensaries may sell to patients and receive marijuana from patients, caregivers, and registered grow sites. Patients are limited to possessing 24 ounces of marijuana, six mature plants, and 18 immature plants. Also, in 2014, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Penn.	X				Pennsylvania's health department issues ID cards to qualifying patients with conditions including cancer, ALS, HIV/AIDS, Parkinson's, IBD, neurodegenerative diseases, Huntington's, Crohn's, PTSD, seizures, autism, sickle cell anemia, substitute therapy for opiate addiction, and severe chronic or intractable pain. Up to 150 dispensaries will dispense cannabis. The first dispensaries opened in February 2018.
Rhode Island	X				Rhode Island's Department of Public Health issues medical marijuana cards for patients suffering from cancer, HIV/AIDS, PTSD, hepatitis C, glaucoma, Alzheimer's, severe debilitating pain, cachexia, severe nausea, seizures, persistent muscle spasms, autism, and any other conditions added by the health department. There are currently three compassion centers open in the state. Patients are allowed to cultivate up to 12 plants and 12 seedlings in an enclosed, locked facility and may possess up to two and a half ounces of marijuana.
South Carolina				X	Qualifying patients with severe forms of epilepsy that are not "adequately treated by traditional medical therapies" may be given cannabidiol or any preparation of marijuana with no more than 0.9% THC content and no less than 15% CBD. Although the CBD law itself does not include access, the state also has a pilot program to license industrial hemp production, defined as less than 0.3% THC.
South Dakota				X	South Dakota has a law that will allow cannabidiol, after it is approved by the federal Food and Drug Administration (FDA), but not before then.
Tenn.				X	Tennessee universities can cultivate cannabis, process it into oil, and dispense it as part of a trial for any disease, in the highly unlikely event that it is approved by the "drug enforcement administration located in the state." Patients can also possess cannabis oils with less than 0.9% THC if they were obtained pursuant to a "legal order or recommendation from the issuing state" and if they or an immediate family member was diagnosed with epilepsy by a Tennessee doctor. In addition, an industrial hemp law provides a source of CBD.
Texas				X	Texas allows patients diagnosed with intractable epilepsy to be prescribed cannabis with at least 10% CBD but no more than 0.5% THC. Medical cannabis may be cultivated, processed, and dispensed by organizations regulated by the Texas Department of Public Safety. Because the CBD oil must be prescribed, it is impossible for a patient to acquire it without his or her doctor risking violating federal law.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Utah	X				In the 2018 election, Utah voters approved Proposition 2, which legalizes medical marijuana for qualifying patients who receive approval from their physician. The measure also creates a dispensary system to enable patient access. After the election, however, the legislature amended the law in a special legislative session in December 2018. The compromise legislation establishes a workable medical marijuana program, but with more restrictions than Prop 2. Qualifying conditions include: HIV, Alzheimer's disease, amyotrophic lateral sclerosis, cancer, cachexia, persistent nausea that is not significantly responsive to traditional treatment (except nausea caused by pregnancy, cannabis-induced vomiting syndrome, or cannabinoid hyperemesis syndrome), Crohn's disease, ulcerative colitis, epilepsy, debilitating seizures, multiple sclerosis, debilitating muscle spasms, PTSD (provided certain conditions are met), autism, a terminal illness (with six months or fewer remaining), a condition resulting in an individual receiving hospice care, and chronic pain (provided that certain conditions are met). Patients may also petition the "compassionate use board" to become a qualifying patient for other conditions.
Vt.	X				The Vermont Department of Public Safety issues medical marijuana cards to patients suffering from cancer, multiple sclerosis, HIV/AIDS, PTSD, Crohn's, Parkinson's, glaucoma, chronic pain, cachexia, severe nausea, or seizures. Patients may possess up to two ounces and may grow up to two mature plants and seven immature plants in an enclosed, locked facility. Five dispensaries, with up to seven total locations, are open.
Virginia			X		Cannabis oils with at least 15% CBD or THC-A content and no more than 5% THC content are allowed for patients who have a physician's written certification. There is no list of qualifying conditions. The state will license five "pharmaceutical processors" to create the oils. Unlike effective medical programs, Virginia law provides patients an "affirmative defense" in court, not full protection from arrest.
Wash.	X				Qualifying conditions include cancer, HIV/AIDS, multiple sclerosis, seizure and spasm disorders, intractable pain, glaucoma, Crohn's disease, hepatitis C, PTSD, and diseases causing nausea, vomiting, or appetite loss. Registered patients may grow six plants, while unregistered may grow four. Also, in 2012, voters approved an initiative to allow adults 21 and older to use, grow, and buy marijuana. In 2015, legislation passed to allow for regulated access to medical marijuana.

State	Medical	Flawed Medical	CBD	Flawed CBD	Description
Wash., D.C.	X				The District's Department of Health issues medical marijuana cards for patients with several specific medical conditions along with "any condition for which treatment with medical marijuana would be beneficial, as determined by the patient's physician." There are currently five medical marijuana dispensaries and seven cultivation facilities. Medical marijuana patients are allowed to possess up to four ounces of marijuana obtained from a dispensary in a 30-day period.
West Virginia	X				The Bureau of Health will issue identification cards to qualifying patients with a terminal illness, cancer, HIV/AIDS, ALS, Parkinson's disease, multiple sclerosis, spinal cord damage, epilepsy, neuropathies, Huntington's disease, Crohn's disease, PTSD, intractable seizures, sickle cell anemia, or — in some cases — intractable pain. The bureau will license up to 30 dispensaries, 10 growers, and 10 processors.
Wisconsin				X	Wisconsin allows anyone diagnosed with seizure disorders to possess "cannabidiol in a form without a psychoactive effect." Any physician or pharmacy that has been given an investigational drug permit by the FDA is allowed to dispense cannabidiol, but it is unlikely as it relies on federal cooperation. Without an investigational drug permit or other federal permission, patients can only access CBD from a state that allows medical marijuana and allows out-of-state patients to use dispensaries. In addition, in late 2017, the state enacted a pilot program to license industrial hemp production, which may provide a means of access
Wyoming				X	Wyoming allows "hemp extracts" with up to 0.3% THC content and at least 5% CBD content for residents who suffer from intractable epilepsy or seizure disorders. Minors qualify if a parent or legal guardian monitors their use. The health department issues registration cards to qualifying patients. There are no means of access in the state, and any extracts must have an accompanying certificate of analysis verifying its THC/CBD content.
Total	32+ D.C.	1	2	13	