



Modes of Administration and Medical Cannabis Laws

The vast majority of medical cannabis laws allow patients to administer medical cannabis through whatever method works best for them — be it whole-plant cannabis, tinctures, ointments, oils, or edibles. Allowing innovation is a key reason the efficacy of certain cannabis oils on intractable seizures came to light.

Unfortunately, some older laws include language that does not clearly allow edibles or extracts, and five laws forbid smoking.^[1] Furthermore, three laws *only* allow extracts — not whole-plant cannabis — which are more costly.^[2]

MPP recommends allowing patients, in consultation with trained dispensary staff, to decide for themselves which mode of administration is most appropriate for them.

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

State	Limit on Administration?	Notes
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	Among the four types of medical marijuana licensees are infused-product manufacturers.
Connecticut	Edibles in the form of candy are not allowed.	A dispensary's site notes flowers, concentrates, edibles, and tinctures are all available. Edibles in the form of candy are prohibited under state law.
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.
Hawaii	None known	Edibles were not allowed until a 2020 change in the law.
Illinois	None known	
Louisiana	Smoking and flower is prohibited, as is any other inhalation other than metered-dose inhalation.	Initially, no inhalation was allowed. In 2019, the legislature approved and governor signed a bill to allow metered-dose inhalation (but not smoking).
Maine	None known	

State	Limit on Administration?	Notes
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	Only allows administration via liquids, oils, and pills. Patients may vaporize oils or liquids. The health commissioner may allow more types of administration, but may not add smoking.	
Mississippi	None known	
Missouri	None known	
Montana	None known	In 2012, the state Supreme Court ruled extracts, and thus edibles made from them, were not allowed. However, in 2017, the legislature passed a law clarifying provisions of a 2016 initiative, which allowed the sale of edibles.
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	
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.

State	Limit on Administration?	Notes
Ohio	Smoking is prohibited. Vaporization is allowed. Edibles and extracts are allowed, as is raw cannabis.	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	Cannabis in its natural, plant-based form (such as its flower) is not allowed.	
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 forbid smoking are Louisiana, Minnesota, New York, Pennsylvania, and West Virginia. While Virginia does not explicitly prohibit smoking, it does not allow flower.

[2] The states that only allow extracts are Louisiana, Minnesota, and Virginia. Prices are incredibly high in both Louisiana and Minnesota, while sales have just begun in Virginia. New York, Pennsylvania, and West Virginia initially limited their programs to extracts, but eventually expanded the programs.
