



North Carolina's Epilepsy Alternative Treatment Act

In 2014, North Carolina Legislature passed, and Gov. Pat McCrory signed, the [North Carolina Epilepsy Alternative Treatment Act](#) into law. This law was subsequently amended in 2015 so that neurologists no longer need to be affiliated with a pilot study in order to approve the use of hemp extract for the treatment of epilepsy. In addition, the definition of hemp extract was amended to adjust the percentage requirements for certain cannabinoids. The law, [as amended](#), took effect on August 1, 2015.

The North Carolina Epilepsy Alternative Treatment Act, as amended, exempts individuals with intractable epilepsy from criminal penalties for using and possessing hemp extracts that contain at least 5% cannabidiol (CBD) and less than 0.9% THC. The exception applies with the approval of a neurologist who is affiliated with one or more hospitals in the state.

The law does not allow in-state production of hemp extracts and specifically states that neurologists approve the dispensation of “hemp extract acquired from another jurisdiction,” meaning patients can only access it from a dispensary in a medical marijuana state that allows out-of-state patients to access cannabis from their dispensaries. Because the law only applies to a very specific type of marijuana and lacks a workable access provision, MPP does **not** consider North Carolina a medical marijuana state.

Limitations: The law allows certain individuals to use and possess extracts from marijuana plants that contain less than 0.3% THC and at least 10% CBD.

Qualifying patients: Only individuals who suffer from intractable epilepsy may be exempted from criminal laws for using and possessing hemp extract. This includes minors with seizure disorders.

Access: Patients must find and work with a neurologist who is affiliated with a licensed North Carolina hospital. These neurologists may then approve a caregiver to dispense hemp extract. However, the law is silent on how, exactly, a caregiver is to actually obtain hemp extract from another jurisdiction.

There are a number of “CBD” products available online or in stores, but these products are typically unregulated, and consumers should be cautious. Unfortunately, some products do not actually contain the amount of CBD on the label — or any at all — or they may also contain THC, heavy metals, or dangerous other ingredients. (Notably, South Carolina is one of the few states where the hemp law — which may include CBD-rich products — includes lab testing.)