



Summary of Pennsylvania's Medical Marijuana Act

On April 17, 2016, Gov. Tom Wolf signed into law SB 3, Pennsylvania's compassionate medical cannabis legislation. The law went into effect on May 17, 2016, and the first dispensaries began serving patients in April 2018. The law has been revised since then.

Below is a summary of The Medical Marijuana Act as amended. More information is available on the [program website](#).

Qualified Medical Conditions: Patients can qualify for medical cannabis if they have any of the following conditions and a certification from an [approved physician](#) :

- Amyotrophic lateral sclerosis;
- Anxiety disorders;
- Autism;
- Cancer, including remission therapy;
- Chronic Hepatitis C;
- Crohn's disease;
- Damage to the nervous tissue of the central nervous system (brain-spinal cord) with objective neurological indication of intractable spasticity, and other associated neuropathies;
- Dyskinetic and spastic movement disorders;
- Epilepsy;
- Glaucoma;
- HIV/AIDS;
- Huntington's disease;
- Inflammatory bowel disease;
- Intractable seizures;
- Multiple sclerosis;
- Neurodegenerative diseases;
- Neuropathies;
- Opioid use disorder for which conventional therapeutic interventions are contraindicated or ineffective, or for which adjunctive therapy is indicated in combination with primary therapeutic interventions;
- Parkinson's disease;
- Post-traumatic stress disorder;
- Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain;
- Sickle cell anemia;
- Terminal illness; and
- Tourette syndrome.

Certifying Physicians: To qualify for the program, a patient must have a certification from an approved MD or DO. The certification must state that the patient has a qualifying medical condition

and that the physician believes he or she could benefit from medical cannabis. Physicians [must](#) complete a four-hour course to participate in the program and register with the Department of Health.

Regulatory Authority: The Department of Health is responsible for implementing the program, including developing rules, processing applications, and issuing patient ID cards and licenses. The law created an advisory board to make recommendations to the department. The board is comprised of 15 members, including three law enforcement members, several health or medical experts, and at least one patient advocate.

Usage Limitations: Initially, the only types of medical cannabis allowed were pills, oils, gels, creams, ointments, tinctures, liquid, and non-whole plant forms for administration through vaporization. In May 2018, in keeping with the advisory board recommendations, the health department issued revised regulations to allow whole-plant, flower cannabis. Dispensaries cannot sell edibles, but medical cannabis products could be mixed into food or drinks to facilitate ingestion by a patient in a facility or residence. Vaporization is allowed, and smoking is prohibited.

Health Insurance: Government medical assistance programs and private health insurers are not required to reimburse any costs involved with the use of medical cannabis or any costs associated with an employer having to make accommodations for the use of medical cannabis in the workplace.

Out-of-State Patients: Patients registered for medical cannabis in another state are not allowed access to medical cannabis in Pennsylvania.

Medical Cannabis Businesses: The department issues combined grower and processor permits and dispensary permits. Each dispensary permit allows up to three locations. The [medical cannabis program](#) has a map and a list of [dispensaries with products](#).

Legal Protections: A registered patient or caregiver is protected from arrest, prosecution, and discrimination in child custody. Employers do not have to accommodate employees' on-site use. Legal protections do not take effect until the patient has been issued a medical cannabis registration card, apart from a safe harbor provision for minors.

Taxes and Fees: Applicants pay \$5,000 per dispensary application and \$10,000 for

grower/processor applications. Medical cannabis business licensees pay registration fees of \$30,000 for each dispensary location and \$200,000 for grower/processors. The grower/processor also pays a 5% tax on the sale of medical cannabis to a dispensary. Patients are initially charged \$50 for an identification card, which can be waived for financial hardship. All fees may be modified by the advisory board.