



HB46 expands Compassionate Use Program

In 2025, the Texas Legislature expanded the very limited [Texas Compassionate Use Program \(TCUP\)](#) into a more comprehensive medical cannabis program. After the bill took a tumultuous path through the House and Senate, the final fate of expanding the program was settled in a conference committee. Gov. Greg Abbott (R) signed the bill — HB 46 — into law on June 21, 2025.

The final version of HB 46 includes many improvements to the very limited TCUP program. The changes made by HB 46 include:

- Adding the following qualifying conditions: chronic pain (continuous or intermittent severe pain for more than 90 days), Crohn’s disease, traumatic brain injury, terminal illnesses, and being in hospice care.
- Adding methods of delivery including lotions, patches, suppositories, and non-smoked pulmonary inhalation. Inhalation devices — nebulizers, inhalers, and vaporizers — will have to be approved by the Department of State Health Services and directed by the patient’s doctor. (Unfortunately, raw, flower cannabis is still prohibited.)
- Replacing the current limit of 1% THC by weight with an up to 10 milligrams per dose and a package not to exceed 1 gram of THC.
- Making recommendations good for one year with four 90-day refills, which can be partially filled within each 90-day period.
- Directing the Department of Public Safety to issue 12 more licenses for dispensing organizations, for a total of 15 total. Dispensing organizations must become operational within 24 months after the license is issued. Those providers will be able to open satellite brick-and-mortar dispensaries.
- Requiring monitoring of dispensed cannabis by the Texas Board of Pharmacy via the Prescription Monitoring Program.
- Providing that any person owning 10% or more in a dispensing organization will need to submit fingerprints for background checks.
- Providing information within the registry regarding patient identification, including the fact that a person that is listed as a patient in the registry is confidential and may only be accessed by the department, registered physicians, and dispensing organizations. On request by a patient, the department may release patient information contained in the registry to the patient or a person designated by the patient.