



## Virginia's Limited CBD and THC-A Oil Law

In 2017, Virginia passed a law that allowed patients suffering from intractable epilepsy access to cannabidiol (CBD) or THC-A oil. In 2018, this law was significantly expanded by HB 1251, which allowed any medical condition to qualify. Further improvements were made in 2019 and in 2020.

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### What type of products are allowed?

Marijuana extracts containing at least five milligrams of either cannabidiol (CBD) or THC-A and no more than 10 milligrams of THC per dose are permitted. Cannabis in its natural, plant-based form (such as its flower) is not allowed.

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### Aren't THC-A and THC the same thing?

Not exactly. THC-A ( $\Delta$ 9-tetrahydrocannabinolic acid) is a naturally occurring cannabinoid in marijuana that converts to THC when heated (this is called decarboxylation), but in the process some of the THC-A is lost.

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### Are there any legal protections now?

Yes. With the passage of SB 1015 in 2020, patients are formally protected from arrest and prosecution for possessing their medicine.

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### Do I have to register?

Yes. Registration applications for patients, parents/legal guardians, and physicians are available through the [Board of Pharmacy](#). The fee for each registrant will be \$50.

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### Who can issue the certifications?

Doctors licensed to practice medicine or osteopathy in Virginia, physicians' assistants licensed by the Board of Medicine, or nurse practitioners jointly licensed by the Board of Medicine and Board of Nursing may issue certifications. These practitioners must register with the Board of Pharmacy in order to continue issuing certifications. Physicians are prohibited from issuing certifications to [more than 600 patients](#) at any given time. Certifications are good for one year.

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### Who will produce the oils?

THC-A and CBD oil products must be produced and sold in Virginia by specially licensed businesses called "pharmaceutical processors." These businesses may cultivate cannabis, manufacture the products, and dispense them to patients. While a pharmacist must be in charge of each facility, the name is somewhat confusing since the cannabis oils cannot be sold in pharmacies.

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### **When and where can I purchase the oils?**

The state has issued conditional approval to five pharmaceutical processors. In 2020, legislation was approved to allow up to 25 dispensing locations in the state. CBD oil and THC-A oil products are not **expected** to be available for purchase from the processors in Virginia until the summer of 2020.

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### **How much oil will patients be permitted?**

Pharmaceutical processors will be permitted to dispense a “90-day supply” of the oil to each patient, the amount of which will be set by regulation.

No dispensed dose of CBD or THC-A oil may exceed 10 milligrams of THC.

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