



Virginia's Medical Cannabis 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 2020, making Virginia the 34th state with a comprehensive medical cannabis law.

In 2021, the General Assembly passed legislation adding whole plant, “botanical” cannabis to the program (HB 2218/SB 1333) and protecting patients from being fired or disciplined by their employers for using medical cannabis away from work (HB 1862).

What type of products are allowed?

Cannabis 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. Patients can obtain preparations such as capsules, sprays, tinctures, oils, creams, gels, lozenges, patches, troches, suppositories, lollipops, and inhalation products. Cannabis in its natural, plant-based form (such as its flower) became available to patients on July 1, 2021.

What legal protections does Virginia offer?

With the passage of SB 1015 in 2020, patients are protected from arrest and prosecution for possessing their medicine. In 2021, the General Assembly passed HB 1862, which protects patients from being fired or disciplined by their employers for using medical cannabis away from work.

Do patients have to register?

No. Effective July 1, 2022, HB 933 removed the requirement for patients, parents, and legal guardians to register with the Board of Pharmacy. A Written Certification for the Use of Medical Cannabis from a Registered Practitioner for Medical Cannabis is still required and must be presented at the dispensary, along with a government-issued ID, to obtain medical cannabis products.

While the law will no longer require a patient, parent, or legal guardian to obtain registration from the Board, an optional registration card for medical cannabis may be obtained for \$50. Registration applications for patients, parents/legal guardians, and physicians are available through the [Board of Pharmacy](#). The fee for each registrant will be \$50.

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.

Who produces medical cannabis products?

Cannabis 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 medical cannabis cannot be sold in pharmacies.

Home cultivation is not included in the medical program, but in 2021 the General Assembly passed a law making home cultivation of up to four plants legal for all adults 21 and older.

Where can I purchase medical cannabis products?

You can find a list of medical cannabis dispensing locations on the [Board of Pharmacy website](#).

How much medical cannabis are patients permitted to possess?

Patients are permitted to possess a “90-day supply” of medical cannabis products.

No dispensed dose of cannabis oil may exceed 10 milligrams of THC. Patients are permitted to obtain up to four ounces of whole plant, “botanical” cannabis in a 30-day period.

Other questions?

For more information, check out the Virginia Board of Pharmacy’s [Frequently Asked Questions](#).

Last updated: April 2, 2021