



Medical Marijuana  
*State-by-State Overview*

Document Summary:

- Twenty-eight (28) states, the District of Columbia, and Guam currently allow for the medical use of marijuana.
- Sixteen (16) states have enacted limited access marijuana product laws permitting only low (or zero) Tetrahydrocannabinol (THC) and high Cannabidiol (CBD) products to treat specific medical conditions.
- Eight (8) states and the District of Columbia have had voter-led initiatives passed legalizing the recreational use of marijuana.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
AL	√ <sup>+i</sup>	2014	<a href="#">Ala. Code § 13A-12-214.2</a> “Possession and use of cannabidiol”	
AK	√ <sup>*ii</sup>	1998  2014	<a href="#">AS § 17.37.10 et seq.</a> “Medical Uses of Marijuana for Persons Suffering from Debilitating Medical Conditions Act”  <a href="#">Alaska Ballot Proposition 2 of 2014<sup>1</sup></a> “An Act to Tax and Regulate the Production, Sale, and Use of Marijuana.”	See also: <a href="http://dhss.alaska.gov/dph/VitalStats/Pages/marijuana.aspx">http://dhss.alaska.gov/dph/VitalStats/Pages/marijuana.aspx</a>
AZ	√	2010	<a href="#">ARST 36, Ch. 28.1, et seq.</a> “Arizona Medical Marijuana Act”	See also: <a href="http://www.azsos.gov/public_services/title_09/9-17.htm">http://www.azsos.gov/public_services/title_09/9-17.htm</a> and <a href="http://www.azdhs.gov/medicalmarijuana/physicians/">http://www.azdhs.gov/medicalmarijuana/physicians/</a>
AR	√	2016	<a href="#">Arkansas Ballot Issue 6<sup>2</sup></a> “The Arkansas Medical Marijuana Amendment”	

<sup>1</sup> On November 4, 2014, voters passed Proposition 2, which legalizes the recreational use of marijuana in the state of Alaska. Proposition 2, however, does not limit any privileges or rights of a medical marijuana patient under AS 17.37.

<sup>2</sup> On November 8, 2016, voters passed Issue 6, which legalizes the use of medical marijuana in the state of California.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
CA	√*	1996	Cal. Health & Safety Code § 11357-11362.9 “Compassionate Use Act of 1996”	See also: <a href="http://www.cdph.ca.gov/programs/MMP/Pages/default.aspx">http://www.cdph.ca.gov/programs/MMP/Pages/default.aspx</a> <a href="http://www.mbc.ca.gov/Licensees/Prescribing/Medical_Marijuana.aspx">http://www.mbc.ca.gov/Licensees/Prescribing/Medical_Marijuana.aspx</a>
		2016	California Ballot Proposition 64 <sup>3</sup> “The Adult Use of Marijuana Act”	
CO	√*	2000	CRSA Const. Art. 18 § 14 An Amendment to the Colorado Constitution to allow for the medical use of marijuana for persons suffering from debilitating medical conditions	See also: <a href="http://www.goo.gl/KXNvvF">www.goo.gl/KXNvvF</a> and <a href="http://www.cdphe.state.co.us/hs/Medicalmarijuana/index.html">http://www.cdphe.state.co.us/hs/Medicalmarijuana/index.html</a>
		2012	CRSA § 25-1.5-106 “Medical Marijuana Program”  Colorado Amendment 64 <sup>4</sup> “Use and Regulation of Marijuana”	
CT	√	2012	2012 Conn. Legis. Serv. P.A. 12-55 “The Palliative Use of Marijuana”	See also: <a href="http://www.ct.gov/dcp/cwp/view.asp?a=4287&amp;q=503670&amp;dcpNav= &amp;dcpNav_GID=2109">http://www.ct.gov/dcp/cwp/view.asp?a=4287&amp;q=503670&amp;dcpNav= &amp;dcpNav_GID=2109</a>
DE	√	2011	16 DE Code § 4920A “The Delaware Medical Marijuana Act”	See also: <a href="http://dhss.delaware.gov/dph/hsp/medmarhome.html">http://dhss.delaware.gov/dph/hsp/medmarhome.html</a>
DC	√*	2010	DC ST § 7-1671.01 et seq. “Legalization of Marijuana for Medical Treatment Amendment Act of 2010”	See also: <a href="http://doh.dc.gov/service/medical-marijuana-program">http://doh.dc.gov/service/medical-marijuana-program</a>
		2014	DC Ballot Initiative 71 <sup>5</sup> “Legalization of Home Cultivation and Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014”	
FL	√	2016	Florida Ballot Amendment 2 <sup>6</sup> “Use of Marijuana for Debilitating Medical Conditions”	

<sup>3</sup> On November 8, 2016, voters passed Proposition 64, which legalizes the recreational use of marijuana in the state of California.

<sup>4</sup> On November 5, 2012, voters approved Colorado Amendment 64, allowing for the use and regulation of marijuana. Amendment 64 does not affect any provisions of the use of medical marijuana.

<sup>5</sup> On November 4, 2014, Initiative 71 was passed by voters of the District of Columbia.

<sup>6</sup> On November 8, 2016, voters passed Amendment 2, which legalizes the use of medical marijuana to treat certain debilitating medical conditions in the state of Florida.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
GA	√+	2015	Ga. Code Ann. § 16-12-191 “Regulation of Low THC Oil”	
GU	√	2014		
HI	√	2000	HRS § 329-121 et seq. “Medical Use of Marijuana Act”	See also: <a href="http://health.hawaii.gov/std-aids/medical-marijuana-program/">http://health.hawaii.gov/std-aids/medical-marijuana-program/</a> and <a href="http://dps.hawaii.gov/wp-content/uploads/2012/09/Physian-Information-Med-Marijuana-rev113011.pdf">http://dps.hawaii.gov/wp-content/uploads/2012/09/Physian-Information-Med-Marijuana-rev113011.pdf</a>
ID	--			
IL	√	2013	410 ILCS § 130 “Compassionate Use of Medical Cannabis Pilot Program Act”	See also: <a href="http://www2.illinois.gov/gov/mcpp/Pages/default.aspx">http://www2.illinois.gov/gov/mcpp/Pages/default.aspx</a> and <a href="http://www.idph.state.il.us/HealthWellness/MedicalCannabis/">http://www.idph.state.il.us/HealthWellness/MedicalCannabis/</a>
IN	--			
IA	√+	2014	Iowa Code § 124D “Medical Cannabidiol Act”	See also: <a href="http://idph.iowa.gov/mcarcp">http://idph.iowa.gov/mcarcp</a>
KS	--			
KY	√+	2014	K.R.S. § 218A.010 “Marijuana – Definition”	
LA	√+	2015	La. Stat. Ann. § 40:1046 “Therapeutic Use of Marijuana”	
ME	√*	1999	22 MRSA § 2421 et seq. “Maine Medical Use of Marijuana Act”	See also: <a href="http://www.maine.gov/dhhs/dlrs/mmm/">http://www.maine.gov/dhhs/dlrs/mmm/</a> and <a href="http://www.maine.gov/legis/lawlib/medmarij.html">http://www.maine.gov/legis/lawlib/medmarij.html</a>
		2016	Maine Ballot Question 1 <sup>7</sup> “Marijuana Legalization Act”	
MD	√	2014	MD Code § 13-3301 et seq. “Natalie LaPrade Medical Marijuana Commission”	See also: <a href="http://dhmh.maryland.gov/SitePages/Medical%20Marijuana%20Commission.aspx">http://dhmh.maryland.gov/SitePages/Medical%20Marijuana%20Commission.aspx</a>
MA	√*	2013	M.G.L. 369 “For the Humanitarian Medical Use of Marijuana”	See also: <a href="http://www.mass.gov/eohhs/gov/departments/dph/programs/hcq/medical-marijuana/">http://www.mass.gov/eohhs/gov/departments/dph/programs/hcq/medical-marijuana/</a>
		2016	Massachusetts Ballot Question 4 <sup>8</sup> “Legalization, Regulation, and Taxation of Marijuana”	

<sup>7</sup> On November 8, 2016, voters passed Question 1, which legalizes the recreational use of marijuana in the state of Maine.

<sup>8</sup> On November 8, 2016, voters passed Question 1, which legalizes the recreational use of marijuana in the state of Massachusetts.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
MI	√	2008	MCLA 333.26421 et seq. “Michigan Medical Marihuana Act”	See also: <a href="http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_51869--,00.html">http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_51869--,00.html</a> And <a href="http://www.michigan.gov/documents/lara/lara_Medical_Marihuana_Final_Written_Certification_Statement_8-15-11_376283_7.pdf">http://www.michigan.gov/documents/lara/lara_Medical_Marihuana_Final_Written_Certification_Statement_8-15-11_376283_7.pdf</a>
MN	√	2014	M.S.L. 361 §§ 1-22 “Medical cannabis (marijuana) registry program establishment”	See also: <a href="http://www.health.state.mn.us/topics/cannabis/">http://www.health.state.mn.us/topics/cannabis/</a>
MS	√+	2014	Miss. Code Ann. § 41-29-136 “Harper Grace’s Law”	
MO	√+	2014	Mo. Rev. Stat. § 192.945.1 “Registration Cards” Mo. Rev. Stat. § 195.207.1 “Use of Hemp Extract” Mo. Rev. Stat. § 261.265.1 “License Issuance”	
MT	√	2004	M.C.A. § 50-46-301 et seq. “Montana Marijuana Act”	See also: <a href="http://www.dphhs.mt.gov/qad/Licensure/MMP.aspx">http://www.dphhs.mt.gov/qad/Licensure/MMP.aspx</a>
NE	--			
NV	√*	2000  2016	NRS 453A.010 et seq. “Medical Use of Marijuana”  Nevada Ballot Question 2 <sup>9</sup> “Regulation and Taxation of Marijuana Act”	See also: <a href="http://health.nv.gov/MedicalMarijuana.htm">http://health.nv.gov/MedicalMarijuana.htm</a> and <a href="http://www.medboard.nv.gov/Advisory%20Opinions/No.%2014-1%20Adv.%20Op..pdf">http://www.medboard.nv.gov/Advisory%20Opinions/No.%2014-1%20Adv.%20Op..pdf</a> and <a href="http://license.k3systems.com/LicensingPublic/docs/PositionPaperRegardingMedicalMarijuana_20140909.pdf">http://license.k3systems.com/LicensingPublic/docs/PositionPaperRegardingMedicalMarijuana_20140909.pdf</a>
NH	√	2013	RSA 126-X “Use of Cannabis for Therapeutic Purposes”	See also: <a href="http://www.dhhs.state.nh.us/oos/tcp/index.htm">http://www.dhhs.state.nh.us/oos/tcp/index.htm</a>
NJ	√	2010	NJSA 24:6I-1 et seq. “New Jersey Compassionate Use Medical Marijuana Act”	See also: <a href="http://www.state.nj.us/health/medicalmarijuana/">http://www.state.nj.us/health/medicalmarijuana/</a>
NM	√	2007	NMSA 1978 Section 26-2B-1 et seq. “Lynn and Erin Compassionate Use Act”	See also: <a href="http://nmhealth.org/about/mcp/svcs/hpp/">http://nmhealth.org/about/mcp/svcs/hpp/</a>
NY	√	2014	NY Pub. Health L. § 3360 - 3369 “Compassionate Care Act”	See also: <a href="http://www.health.ny.gov/regulations/medical_marijuana/">http://www.health.ny.gov/regulations/medical_marijuana/</a>
NC	√+	2014	N.C. Gen. Stat. §§ 90-113.100 – .106 “Epilepsy Alternative Treatment Act”	

<sup>9</sup> On November 8, 2016, voters passed Question 2, which legalizes the recreational use of marijuana in the state of Nevada.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
ND	√	2016	<a href="#">North Dakota Initiated Statutory Measure 5<sup>10</sup></a> “Medical Marijuana”	
OH	√	2016	<a href="#">House Bill 523</a> “Medical Marijuana Control Program”	See also: <a href="http://www.medicalmarijuana.ohio.gov/">http://www.medicalmarijuana.ohio.gov/</a>
OK	√+	2015	<a href="#">Okla. Stat. tit. 2A §§ 2-801 – 805</a> “Clinical Trials – Definitions”	
OR	√*	1998  2014	<a href="#">ORS § 475.300 et seq.</a> “Oregon Medical Marijuana Act”  <a href="#">Oregon Legalized Marijuana Initiative, Measure 91<sup>11</sup></a> “Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act of 2014”	See also: <a href="http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/index.aspx">http://public.health.oregon.gov/DiseasesConditions/ChronicDisease/MedicalMarijuanaProgram/Pages/index.aspx</a>
PA	√	2016	<a href="#">2016 Public Act 16</a> “Medical Marijuana”	
PR	--			
RI	√	2006	<a href="#">Gen. Laws 1956, § 21-28.6-1 et seq.</a> “The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act”	See also: <a href="http://www.health.ri.gov/healthcare/medicalmarijuana/for/providers/">http://www.health.ri.gov/healthcare/medicalmarijuana/for/providers/</a>
SC	√+	2014	<a href="#">S.C. Code Ann. § 44-53-1820</a> “FDA approved clinical trials to treat patients who have certain forms of epilepsy with Cannabidiol”	
SD	--			
TN	√+	2014	<a href="#">Tenn. Code Ann. § 39-17-402(16)</a> “Marijuana – Definition”	
TX	√+	2015	<a href="#">Tex. Health &amp; Safety Code § 487</a> “Texas Compassionate-Use Act”	See also: <a href="http://www.dps.texas.gov/rsd/CUP/">http://www.dps.texas.gov/rsd/CUP/</a>
UT	√+	2014	<a href="#">Utah Code § 26-56</a> “Hemp Extract Registration Act”	
VT	√	2004	<a href="#">18 VSA § 4472 et seq.</a> “Therapeutic Use of Cannabis”	See also: <a href="http://vcic.vermont.gov/marijuana_registry/physicians">http://vcic.vermont.gov/marijuana_registry/physicians</a>

<sup>10</sup> On November 8, 2016, voters passed Initiated Statutory Measure 5, which legalizes the use of medical marijuana in the state of North Dakota.

<sup>11</sup> On November 4, 2014, voters passed Measure 71, which legalizes the recreational use of marijuana in the state of Oregon. Measure 71, however, specifically exempts the current Oregon Medical Marijuana Program (OMMP) from its provisions. OMMP has no changes as a result of Measure 71.

State	Medicinal Marijuana Use Permitted	Enacted	Statutory Authority	Additional Information
VA	√+	2015	<a href="#">Va. Code Ann. § 54.1-3408.3</a> “Certification for use of cannabidiol oil or THC-A oil to treat intractable epilepsy”	
VI	--			
WA	√*	1998  2012	<a href="#">RCW 69.51a</a> “Washington State Medical Use of Cannabis Act”  <a href="#">Washington Initiative 502<sup>12</sup></a> “Washington Marijuana Legalization and Regulation”	See also: <a href="http://www.doh.wa.gov/YouandYourFamily/IllnessandDisease/MedicalMarijuanaCannabis/HealthCareProvidersFrequentlyAskedQuestions.aspx">http://www.doh.wa.gov/YouandYourFamily/IllnessandDisease/MedicalMarijuanaCannabis/HealthCareProvidersFrequentlyAskedQuestions.aspx</a>
WV	--			
WI	√+	2014	<a href="#">Wis. Stat. §§ 961.14, 961.34, 961.38</a> “Controlled substances therapeutic research”	
WY	√+	2015	<a href="#">Wyo. Stat. Ann. § 35-7-1901</a> “Supervised Medical use of Hemp Extracts”	

*For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.*

<sup>i</sup> “√+” means that the state permits limited access marijuana products (low (or zero) Tetrahydrocannabinol (THC) and high Cannabidiol (CBD)) to treat specific medical conditions.

<sup>ii</sup> “√\*” means that the state has legalized both medical and recreational use of marijuana.

<sup>12</sup> On November 5, 2012, voters approved Initiative 502 (I-502), which legalizes and regulates marijuana in Washington. I-502 does not, however, make any changes to the Washington State Medical Use of Cannabis Act.