



Issue.....	Possible Points		
<b>PATIENT RIGHTS &amp; CIVIL PROTECTION (total) .....</b>	<b>100</b>	<b>17</b>	
Arrest protection .....	40	0	Ownership/Employment restrictions .....
Affirmative defense .....	15	12	Provisions for labor standards .....
Child custody .....	10	0	Environmental impact regulations .....
DUID protections .....	5	0	Unrestricted choice of dispensary .....
Employment .....	5	0	<b>Non-commercial cultivation (total) .....</b>
Explicit privacy standards.....	7	0	Personal cultivation.....
Housing protections .....	5	0	Collective gardens .....
Does not create new criminal penalties for patients .....	5	5	Explicit right to edibles/concentrates/other forms .....
Organ transplants .....	5	0	Does not impose limits or bans on THC .....
Reciprocity .....	3	0	Does not impose minimum CBD requirements.....
			Municipal bans/zoning .....
			<b>FUNCTIONALITY (total).....</b>
<b>EASE OF NAVIGATION (total).....</b>	<b>100</b>	<b>48</b>	Patients are able to obtain medicine .....
Comprehensive qualifying conditions.....	50	20	Free of significant administrative or supply problems..
<b>Adding new conditions (total).....</b>	<b>10</b>	<b>0</b>	Legal protections within reasonable time frame .....
Law/Regs allow for new conditions .....	5	0	Reasonable possession limit (ounces) .....
System works for adding new conditions.....	5	0	Reasonable purchase limits.....
Reasonable access for minors.....	10	6	Allows patients to medicate where they chose .....
Reasonable caregiver background check requirements..	4	2	Covered by insurance/state health aide.....
Number of caregivers.....	2	1	Financial hardship (fee waivers/discount medicine).....
Patient/Practitioner focused task force/advisory Board ..	2	0	<b>PRODUCT SAFETY (total - see back for details).....</b>
Reasonable fees (patients & caregivers).....	10	10	Dispensing .....
Allows multiple-year registrations .....	2	0	Cultivation .....
Reasonable physician requirements.....	5	6	Manufacturing .....
Does not classify cannabis as medicine of last resort.....	5	3	Lab .....
<b>ACCESS TO MEDICINE (total) .....</b>	<b>100</b>	<b>11</b>	<b>Improvement Bonus.....</b>
<b>Allows distribution programs (total).....</b>	<b>40</b>	<b>0</b>	<b>Total out of 400.....</b>
Allows access to dried flowers.....	15	0	<b>Score percentage .....</b>
Allows delivery .....	5	0	
No sales tax or reasonable sales tax.....	5	0	
Reasonable number of dispensing facilities .....	5	0	
Does not require vertical integration .....	2	0	

**Final Grade = F\***

**Areas for improvement:** Virginia amended its long-standing but previously unusable medical cannabis affirmative defense law by adding protections for THCA and CBD for patients with seizure disorders. While this is a good first step, the state is still denying protections to most patients who could benefit from medical cannabis therapy. Moreover, the current law does not include in-state production and dispensing, forcing patients to travel to states with reciprocity simply in order to obtain their medicine. In addition to addressing these problems, the state should include product safety guidelines and civil discrimination protection in the areas of housing, employment, organ transplants, and child custody.

**Background:** February of 2015 marked the signing of HB 1445 extending some legal protections to patients using CBD or THC-A extracts. This law protects patients using those specific medicines from prosecution but not arrest. HB 1445 also fails to develop any kind of cultivation, production or distribution system thereby forcing Virginians to travel to another state that extends medical access to non-residents.

## PRODUCT SAFETY point breakdown

(Point totals by section included in grade calculation on reverse)

Issue .....	Possible Points		
<b>DISPENSING (total) .....</b>	<b>25</b>	<b>0</b>	
Dispensary training .....	5	0	
<b>Operating Procedures and Protocols.....</b>	<b>5</b>	<b>0</b>	
Facility sanitary conditions .....	Y or N	N	
Storage protocols .....	Y or N	N	
Reasonable security protocols .....	Y or N	N	
Inventory control .....	Y or N	N	
Recall protocol and adverse event reporting .....	5	0	
<b>Product Labeling .....</b>	<b>5</b>	<b>0</b>	
Product contents including source material ID .....	Y or N	N	
Allergens .....	Y or N	N	
Potency/compound identification .....	Y or N	N	
<b>Required Testing .....</b>	<b>5</b>	<b>0</b>	
Active ingredient identification .....	Y or N	N	
Contaminants .....	Y or N	N	
Potency .....	Y or N	N	
<b>CULTIVATION (total).....</b>	<b>25</b>	<b>0</b>	
Cultivation training.....	5	0	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>0</b>	
Facility and equipment sanitary conditions .....	Y or N	N	
Workforce Safety Protocols .....	Y or N	N	
Storage protocols (short and long term) .....	Y or N	N	
Reasonable Security protocols .....	Y or N	N	
Batch and lot tracking .....	Y or N	N	
Disposal / waste .....	Y or N	N	
Water management .....	Y or N	N	
<b>Pesticide Guidance and Protocols .....</b>	<b>5</b>	<b>0</b>	
Pesticide guidance.....	Y or N	N	
Product labeling .....	Y or N	N	
Required testing .....	5	0	
Active ingredient identification .....	Y or N	N	
Contaminants .....	Y or N	N	
Potency .....	Y or N	N	
Sample retention .....	Y or N	N	
Recall protocol and adverse event reporting.....	5	0	
<b>MANUFACTURING (total).....</b>	<b>25</b>	<b>0</b>	
Manufacturing training .....	5	0	
<b>Standard Operating Procedures and Protocols.....</b>	<b>5</b>	<b>0</b>	
Facility and equipment sanitary conditions .....	Y or N	N	
Workforce safety protocols .....	Y or N	N	
Storage protocols .....	Y or N	N	
Reasonable security protocols .....	Y or N	N	
Batch and lot tracking .....	Y or N	N	
<b>Product Labeling .....</b>	<b>5</b>	<b>0</b>	
Product contents with source material ID .....	Y or N	N	
Allergens .....	Y or N	N	
Potency/compound identification .....	Y or N	N	
<b>Required Testing .....</b>	<b>5</b>	<b>0</b>	
Active ingredient identification .....	Y or N	N	
Contaminants .....	Y or N	N	
Potency .....	Y or N	N	
Shelf life testing .....	Y or N	N	
Sample retention .....	Y or N	N	
Recall protocol and adverse event reporting: .....	5	0	
<b>LABORATORY (total).....</b>	<b>25</b>	<b>0</b>	
Lab operations training.....	5	0	
Method validation in accordance with AHP guidelines .....	5	0	
Result reporting - disclose the type of testing used.....	5	0	
Independent or third party certification.....	5	0	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>0</b>	
Equipment and instrument calibration .....	Y or N	N	
Sample tracking .....	Y or N	N	
Facility and equipment sanitary conditions .....	Y or N	N	
Disposal/waste protocols .....	Y or N	N	
Storage protocols .....	Y or N	N	
Workforce safety protocols .....	Y or N	N	
<b>Total out of 100 .....</b>			<b>n/a</b>

### Tools for Success:

Improving your state law has never been easier. In the appendix of this report you will find model legislation and regulators guides for product safety protocols. ASA staff are all also available to draft and/or review legislative and regulatory language. Our website has many resources online including access to our policy shop at [http://www.safeaccessnow.org/policy\\_shop](http://www.safeaccessnow.org/policy_shop), information for regulators available at <http://patientfocusedcertification.org/about/information-for-regulators/> and a breakdown of all the state laws at [http://www.safeaccessnow.org/state\\_and\\_federal\\_law](http://www.safeaccessnow.org/state_and_federal_law).