

Office of Medical Cannabis

FAQ

Medical Cannabis Advisory Board

What is the Medical Cannabis Advisory Board?

The Medical Cannabis Act establishes the Medical Cannabis Advisory Board within the Bureau for Public Health. The Board has the following duties:

- Examine and analyze the statutory and regulatory law relating to medical cannabis within this state.
- Examine and analyze the law and events in other states and the nation with respect to medical cannabis.
- Accept and review written comments from individuals and organizations about medical cannabis.
- Issue written report to the Governor, the Senate and the House of Delegates that includes recommendations on:
 - Whether there should be changes to the types of medical professionals who can issue certifications to patients.
 - Whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions.
 - Whether to change the form of medical cannabis permitted.
 - Whether to change, add or reduce the number of growers, processors or dispensaries.
 - How to ensure affordable patient access to medical cannabis.
 - Whether to permit medical cannabis to be dispensed in dry leaf or plant form, for administration by vaporization.

Who are the members of the Board?

The Board consists of the following members:

- The Commissioner of the Bureau for Public Health or a designee
- The Superintendent of the West Virginia State Police or a designee
- Four physicians licensed to practice in the state to be appointed by the State Medical Association with one each from the following areas of medicine:
 - Family Practice/Neurology/General Practitioner
 - Pain Management
 - Oncologist/Palliative Care
 - Psychiatrist
- Two physicians who are licensed pursuant to §30-14-1 et seq. of this code appointed by the West Virginia Osteopathic Association.
- One pharmacist designated by the Board of Pharmacy
- One pharmacologist appointed by the Governor
- One horticulturist designated by the West Virginia Commissioner of Agriculture
- One member designated by the West Virginia Association of Alcoholism and Drug Counselors
- An attorney licensed in West Virginia who is knowledgeable about medical cannabis laws
- One member appointed by the West Virginia Prosecuting Attorneys Institute
- One member appointed by the Governor who shall be a patient, a family or household member of a patient or a patient advocate
- One pharmacist designated by the Board of Pharmacy
- One pharmacologist appointed by the Governor
- One horticulturist designated by the West Virginia Commissioner of Agriculture
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What happens to the recommendations and final report prepared by the Board?

After receiving the report of the Board, at the discretion of the Commissioner, the Bureau for Public Health may incorporate the recommendations into proposed legislative rules for consideration by the West Virginia Legislature. The Commissioner is required to issue notice in the State Register within twelve months of receiving the Board's report. The notice will include recommendations of the Board and state the specific reasons for the Commissioner's decisions on each of the Board's recommendations.

Are Board members compensated for their time?

Members are will not receive compensation, but will receive reasonable reimbursement for travel, hotel and other necessary expenses incurred in the performance of the duties of the member in accordance with state rules.

How will the Board operate?

Members appointed by the Governor have terms of four years or until a successor has been appointed and qualified, but no longer than six months beyond the four-year period. The Commissioner, or designee, of the Bureau for Public Health serves as chair of the Board. A quorum, for purposes of organizing, conducting business and fulfilling Board duties, is constituted as a majority of the Board members in attendance. A member who fails to attend three consecutive meetings shall be deemed vacant unless excused by the Commissioner for good cause. Board meetings may be attended electronically by board members.