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HOUSE BILL NO. 486

Offered January 14, 2026

Prefiled January 12, 2026

A BILL to amend the Code of Virginia by adding a section numbered 32.1-127.4, relating to medical care facilities; expanded access to medical cannabis for terminally ill patients.

 Patron—Shin

 Committee Referral Pending

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 32.1-127.4 as follows:****§ 32.1-127.4. Expanded access to medical cannabis.****A. For the purpose of this section:***"Patient" means a person who has a terminal illness.**"Terminal illness" means a medical condition resulting in a prognosis of life of one year or less, if such medical condition follows its natural course.**B. A medical care facility shall permit a patient to use medical cannabis in accordance with the requirements of the Medical Cannabis Program (§ 4.1-1600 et seq.). In order to facilitate such use, medical care facilities shall:**1. Prohibit smoking or vaping as methods to use medical cannabis;**2. Include the use of medical cannabis within the patient's medical records;**3. Require a patient to provide a copy of the patient's written certification as described in § 4.1-1601;**4. Reasonably restrict the manner in which a patient stores and uses medical cannabis, including requiring the medical cannabis to be stored in a locked container, to ensure the safety of other patients, guests, and employees of the health care facility, compliance with other state laws, and the safe operations of the health care facility; and**5. Develop and disseminate written guidelines for the use of medical cannabis within the medical care facility pursuant to this chapter.**C. This section does not apply to a patient receiving emergency medical services, as defined in § 32.1-111.1, or to the emergency department of a hospital while the patient is receiving emergency medical services.**D. Medical care facilities permitting patient use of medical marijuana shall comply with applicable drug and medication requirements. This subsection does not require a health care facility to provide a patient with a written certification to use medical cannabis in compliance with § 4.1-1601 or include medical cannabis in a patient's discharge plan.**E. If a federal regulatory agency, the United States Department of Justice (U.S. DOJ), or the federal Centers for Medicare and Medicaid Services (CMS) takes one of the following actions, a medical care facility may suspend compliance with this section until the federal regulatory agency, U.S. DOJ, or CMS notifies the medical care facility that it may resume permitting the use of medical cannabis within the facility:**1. A federal regulatory agency or the U.S. DOJ initiates enforcement action against a medical care facility related to the facility's compliance with a state-regulated medical marijuana program; or**2. A federal regulatory agency, the U.S. DOJ, or CMS issues a rule or otherwise provides notification to the medical care facility that expressly prohibits the use of medical marijuana in medical care facilities or otherwise prohibits compliance with a state-regulated medical marijuana program.**This subsection does not permit a health care facility to prohibit patient use of medicinal cannabis due solely to the fact that cannabis is a Schedule III drug pursuant to the federal Controlled Substances Act or other federal constraints on the use of medicinal cannabis that were in existence prior to the enactment of this section.**F. Compliance with this section shall not be a condition for obtaining, retaining, or renewing a license as a medical care facility.***2. That the provisions of this act shall become effective upon the date that marijuana is federally rescheduled from Schedule I to Schedule III under the federal Controlled Substances Act.**

INTRODUCED

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