

2026 SESSION

INTRODUCED

26104839D

1 **HOUSE BILL NO. 486**

2 Offered January 14, 2026

3 Prefiled January 12, 2026

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

6 Patron—Shin

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That the Code of Virginia is amended by adding a section numbered 32.1-127.4 as follows:**

10 **§ 32.1-127.4. Expanded access to medical cannabis.**

11 **A. For the purpose of this section:**

12 "Patient" means a person who has a terminal illness.

13 "Terminal illness" means a medical condition resulting in a prognosis of life of one year or less, if such
14 medical condition follows its natural course.

15 **B. A medical care facility shall permit a patient to use medical cannabis in accordance with the**
16 **requirements of the Medical Cannabis Program (§ 4.1-1600 et seq.). In order to facilitate such use, medical**
17 **care facilities shall:**

18 **1. Prohibit smoking or vaping as methods to use medical cannabis;**

19 **2. Include the use of medical cannabis within the patient's medical records;**

20 **3. Require a patient to provide a copy of the patient's written certification as described in § 4.1-1601;**

21 **4. Reasonably restrict the manner in which a patient stores and uses medical cannabis, including**
22 **requiring the medical cannabis to be stored in a locked container, to ensure the safety of other patients,**
23 **guests, and employees of the health care facility, compliance with other state laws, and the safe operations of**
24 **the health care facility; and**

25 **5. Develop and disseminate written guidelines for the use of medical cannabis within the medical care**
26 **facility pursuant to this chapter.**

27 **C. This section does not apply to a patient receiving emergency medical services, as defined in**
28 **§ 32.1-111.1, or to the emergency department of a hospital while the patient is receiving emergency medical**
29 **services.**

30 **D. Medical care facilities permitting patient use of medical marijuana shall comply with applicable drug**
31 **and medication requirements. This subsection does not require a health care facility to provide a patient with**
32 **a written certification to use medical cannabis in compliance with § 4.1-1601 or include medical cannabis in**
33 **a patient's discharge plan.**

34 **E. If a federal regulatory agency, the United States Department of Justice (U.S. DOJ), or the federal**
35 **Centers for Medicare and Medicaid Services (CMS) takes one of the following actions, a medical care facility**
36 **may suspend compliance with this section until the federal regulatory agency, U.S. DOJ, or CMS notifies the**
37 **medical care facility that it may resume permitting the use of medical cannabis within the facility:**

38 **1. A federal regulatory agency or the U.S. DOJ initiates enforcement action against a medical care**
39 **facility related to the facility's compliance with a state-regulated medical marijuana program; or**

40 **2. A federal regulatory agency, the U.S. DOJ, or CMS issues a rule or otherwise provides notification to**
41 **the medical care facility that expressly prohibits the use of medical marijuana in medical care facilities or**
42 **otherwise prohibits compliance with a state-regulated medical marijuana program.**

43 **This subsection does not permit a health care facility to prohibit patient use of medicinal cannabis due**
44 **solely to the fact that cannabis is a Schedule III drug pursuant to the federal Controlled Substances Act or**
45 **other federal constraints on the use of medicinal cannabis that were in existence prior to the enactment of**
46 **this section.**

47 **F. Compliance with this section shall not be a condition for obtaining, retaining, or renewing a license as**
48 **a medical care facility.**

49 **2. That the provisions of this act shall become effective upon the date that marijuana is federally**
50 **rescheduled from Schedule I to Schedule III under the federal Controlled Substances Act.**

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