

For Educational Use Only

Virginia Cannabis Laws 2021 and Legalization Implications

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Outline & Learning Objectives

- Presenter introduction/background
- What is marijuana exactly?
- Cannabis laws in Virginia - Historical
- Cannabis laws in Virginia - Today
- Medical cannabis in Virginia
- Implications of legalization

Hi!

For Educational Use Only

Sulman Aziz Mirza, MD

- Board Certified in Psychiatry
- Board Certified in Child & Adolescent Psychiatry
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- Social Media (TikTok/Instagram @thekicksshinK, Clubhouse)

1. **What is Marijuana?**

A brief synopsis of the controversial plant



Marijuana

- Psychoactive drug from *Cannabis* plant, native to Central Asia/Indian subcontinent
 - Earliest known use is 2500ya in Western China
- Recreational, spiritual, and/or medicinal use



Marijuana

- THC (tetrahydrocannabinol) and CBD (cannabidiol) are main two components of nearly 500
- 2013 - estimated 2.5-5% of global population used
 - Illegal in overwhelming majority of world
 - Much more countries which allow medical marijuana use under physician recommendation

Medical use

- Use to treat disease or improve symptoms
- Scientific study and research negatively impacted by legality & production restrictions



Medical use

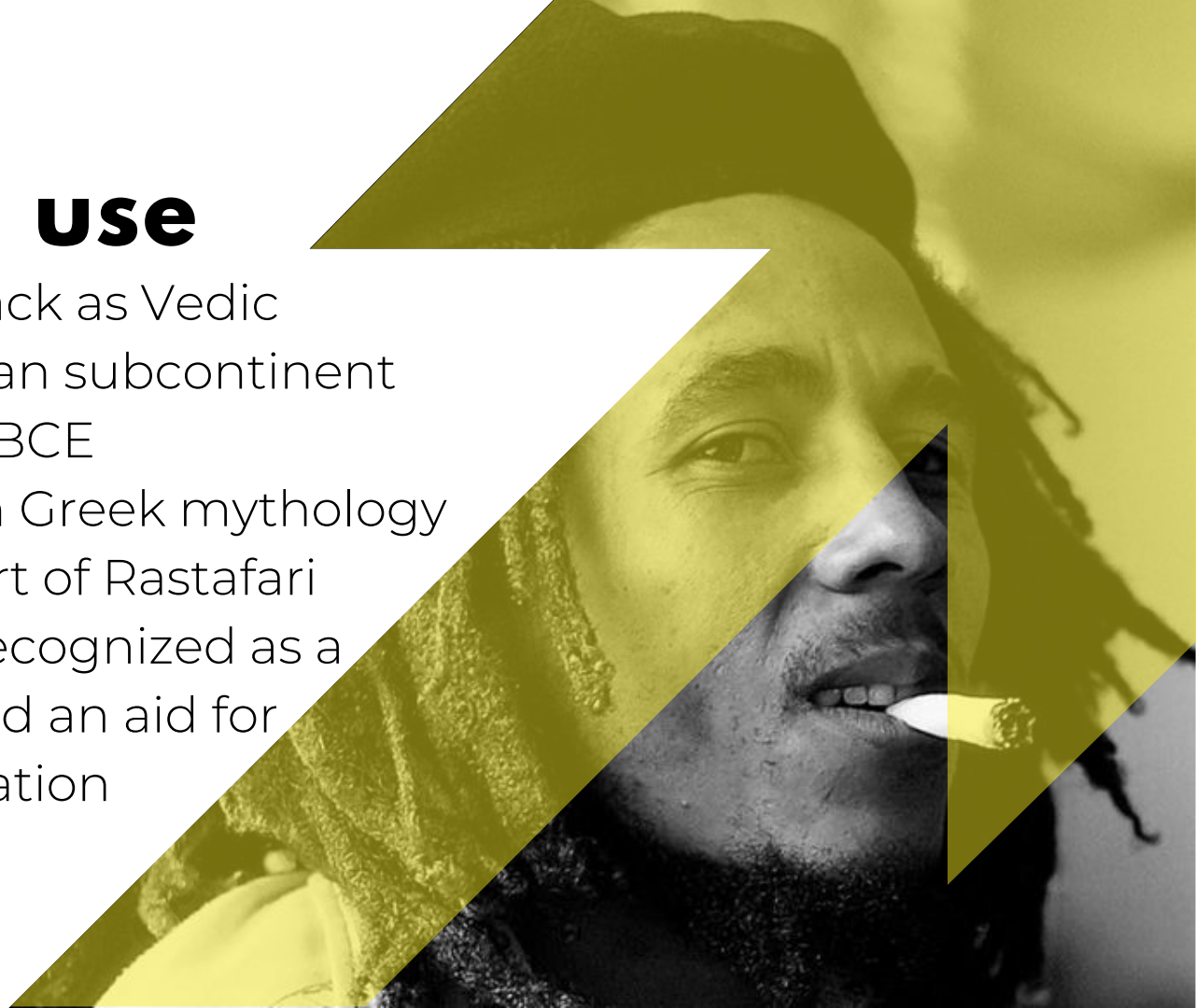
- Generally agreed upon medical uses
 - Reduce nausea/vomiting in chemotherapy
 - Appetite stimulant in HIV/AIDS
 - Chronic pain/muscle spasm treatment
- Concern for short-term adverse effects, no consensus on what long-term adverse effects actually are

Recreational use

- Psychoactive and physiological effects
- Relaxation & euphoria (“stoned”), altered perceptions, increased awareness of sensations, increased libido, distortions in perception of time and space
 - Altered body image, hallucinations, dissociation
- Decrease in short term memory, dry mouth, impaired motor skills, red eyes, increased heart rate, increased appetite and food consumption (“munchies”), lower blood pressure, decreased focus
 - Psychosis that can last up to 6h to days

Spiritual use

- Used as far back as Vedic period in Indian subcontinent in 1500-2000 BCE
- Referenced in Greek mythology
- Important part of Rastafari movement, recognized as a sacrament and an aid for prayer/meditation



Consumption

- Inhalation (smoking and vaporizing)
 - Quicker effect, shorter duration
- Ingestion (Cannabis tea, edibles, capsules/oils, bhang)
 - Delayed effect, longer duration
- Absorption (creams, salves, patches)



Adverse effects

- Illicit drug most commonly involved in vehicle crashes
 - 3-7 times more likely to be cause of crash
- 2011 - 455,000 ED visits associated with THC
 - >1.5 million in recent years (25% psychiatric)
 - Can increase chance of MI 4.8x in 60 minutes
 - Children can potentially die from use/ingestion
- Negatively impacts liver, heart, lungs, vascular system
- Fetal impact - higher levels of depression and ADHD
- Cannabis hyperemesis syndrome - can be fatal
- Toxins in smoking - no definitive link w/cancer

Brain effects

- Reduced hippocampal volume
 - Information processing
- Reduced processing efficiency
- Reversible prospective and retrospective memory impairment, often needing 25-30d abstinence

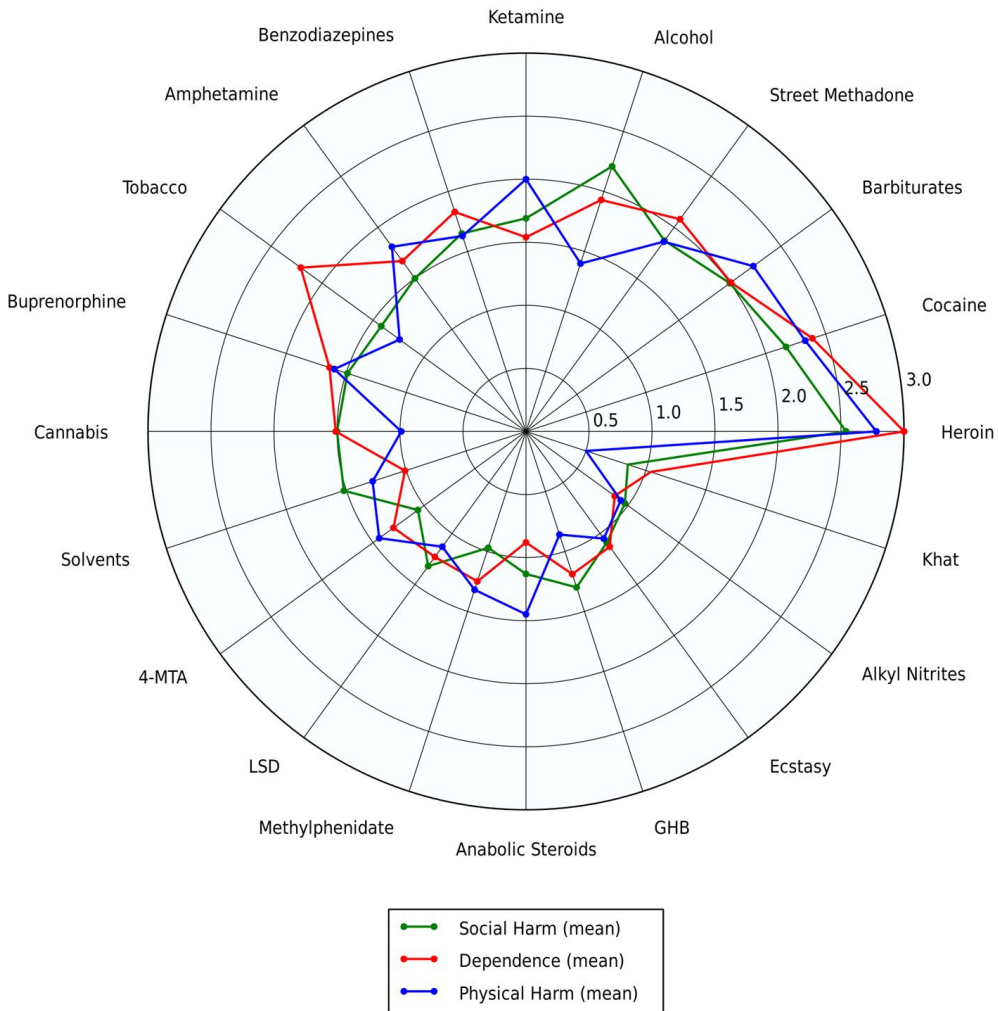


Psychiatric effects

- Dose-response relationship - increased risk of psychosis and earlier onset of psychosis
- Possible association with increased rates of depression/anxiety, no impact on suicides in adults
- In adolescents, associated with increased rates of depression and suicide, but no significant impact on anxiety later on in life

Dependence

- 9% of those who experiment will become dependent
 - 20% cocaine, 23% alcohol, 68% nicotine
- 10-20% of those who smoke daily are dependent
 - 50% will experience withdrawal symptoms upon stopping - insomnia, irritability, dysphoria, craving
- Poor academic performance, deviant behavior in childhood and adolescence, rebelliousness, poor parental relationships, parental h/o substance issues



Rational harm assessment

- 11th dependence
- 17th physical harm
- 10th social harm

Detection

- Highly lipophilic - can stay in body long period of time, up to 4 weeks after a single dose potentially
 - Can accumulate in body with repeated use and take longer to eliminate
- Testing by blood, urine, hair, oral fluid, sweat
- Techniques can accurately measure levels, giving an ability to approximate last exposure and level of exposure as well as active vs passive use

Strains

- Sativa - more stimulating psychoactive effects, head high
- Indica - more sedating, appetite stimulating, more body high
- THC levels have increased significantly over time through genetic modification and cross-breeding, with CBD levels decreasing



Indica

VS



Sativa

Legal status

- Banned in mid-19th Century in most of world due to concerns of negative impact on indentured servants
- 1906 in DC - first restrictions on sale in USA
- 1937 Marihuana Tax Act in USA
- 1970 Controlled Substances Act - Schedule I
 - High potential for abuse, No accepted medical use, Drug is not safe for use even under med supervision
 - Impacts ability to conduct research
- 2012 Washington and Colorado legalize, 2014/15 DC
- 2013 Uruguay first country to fully legalize, Canada 2018

Gateway drug

- Hypothesis has been main rationale for legal status and being maintained as Schedule I
- Constant point of contention and no evidence to suggest that this is true
- Alcohol and tobacco may be more contributory, ultimately comes down to ease of access
- 2020 NIDA - "...majority of people who use marijuana do not go on to use other, "harder" substances..."

2. Virginia Cannabis Laws - Historical

What did things in Virginia used to look like?



History

- Federally illegal
- 1979 - medical use for glaucoma & chemotherapy with physician recommendation
 - Essentially non-functioning due to federal law
- March 2015 - Gov McAuliffe - affirmative defense for CBD/THC-A oil for epilepsy, then expanded in 2018 to “any medical condition per provider discretion”

Legal

- Before July 1, 2020, possession as first offense was unclassified misdemeanor, max penalty of 30d in jail, and/or \$500 fine, and loss of driving privileges
 - 2017 - driving privileges loss was judge's discretion for adults, mandatory for juveniles
 - Potential for deferred disposition and dismissal, but not expungement
 - Impact on immigration status
- Second offense - Class 1 misdemeanor, max penalty of 12m in confinement and \$2500 fine, loss of driving

Move to legalization

- Decriminalization
 - Feb 2020 HB972 (64-34), SB2 (27-13)
 - signed April 2020, took effect July 2020
- Legalization
 - Gov Northam - voices support Nov 2020
 - Disagreements in House/Senate on 2021 vs 2024
 - Ultimately agree to legalize starting July 1, 2021, with retail sales via recreational cannabis dispensaries commencing in January 1, 2024

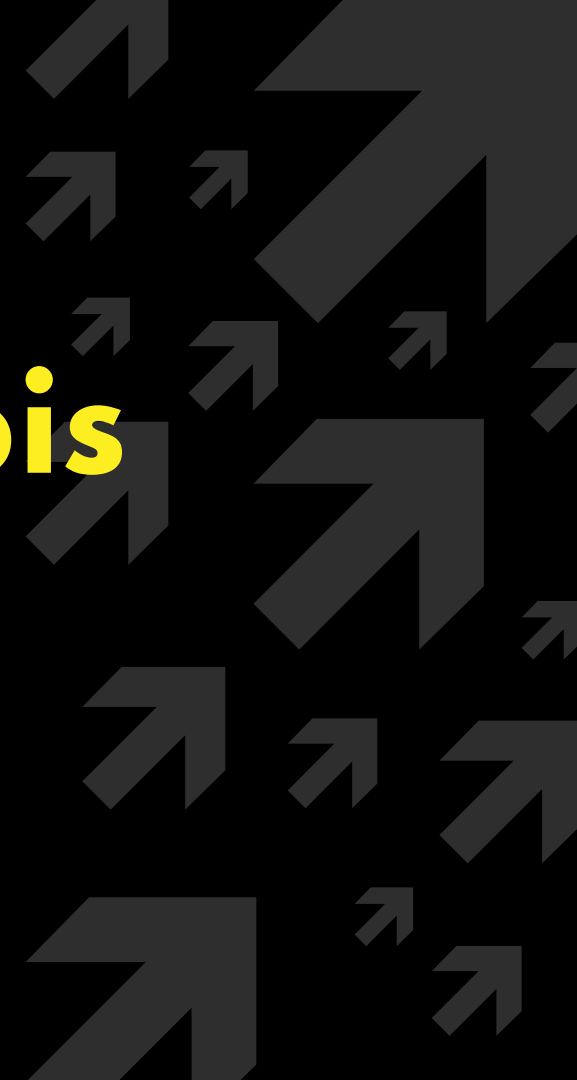
Cannabis Oversight Boards

- Cannabis Control Authority
- Cannabis Equity Reinvestment Board
- Cannabis Public Health Advisory Board



2. Virginia Cannabis Laws - Today

What exactly are the laws now?



What is legal?

- 21yo+ may possess not more than one ounce of cannabis for personal use
- 21yo+ can use in private residences, but private residences can prohibit use on their grounds
- 21yo+ can grow up to 4 plants per household, per specific requirements (“Home Cultivation”)

What is legal?

- “Adult sharing” up to 1oz is legal
 - No reciprocal transactions b/w parties
 - No gifting along with another sale
 - No separate reciprocal transactions
 - Effectively eliminates “gifting market/economy”





one gram



eighth ounce



quarter ounce



half ounce



one gram

half gram



one ounce

1 oz = 28.35 g
1/2 oz = 14g
1/4 oz = 7g
1/8 oz = 3.5g
1g = 1,000 mg

Note: Size dependent on flower density.

Know Your Weed Measurements

A Gram

1 gram



An Eighth

3.5 grams



A Quarter

7 grams



A Half

14 grams



An Ounce

28 grams



Original Source: <https://www.wikileaf.com/thestash/how-many-grams-ounce-weed/>

What is illegal?

- Possession >1oz
 - 1oz to 1lb - civic penalty up to \$25
 - >1lb - felony
- <21yo - consumption, purchase, possession or attempt to any amount of cannabis
- Distribution or sale of cannabis without licence to sell

What is illegal?

- Use of cannabis while driving or as passenger in motor vehicle being driven, possession on school grounds, operating a school bus, in motor vehicle transporting customers for hire, or commercial vehicle
- Consumption of marijuana or offering marijuana to another person in a public place

Home Cultivation

- Up to 4 plants per household, not per person, for personal use
 - Only can be grown at main residence
 - No visible plants from a public way
 - Precautions to prevent <21yo access
 - Each plant must be tagged
 - Person's name, driver's license/ID number, notation that plant is being grown for personal use

Home Cultivation



- Remains illegal before 2024 to sell marijuana seeds, clones (young plants), flower, or any part of marijuana plant in Virginia
- It remains federally illegal to move marijuana across state lines

“What is federally illegal and what is actually enforceable in regards to marijuana is very much a **gray area**”

3. Medical Cannabis in Virginia

Has this changed much or at all?

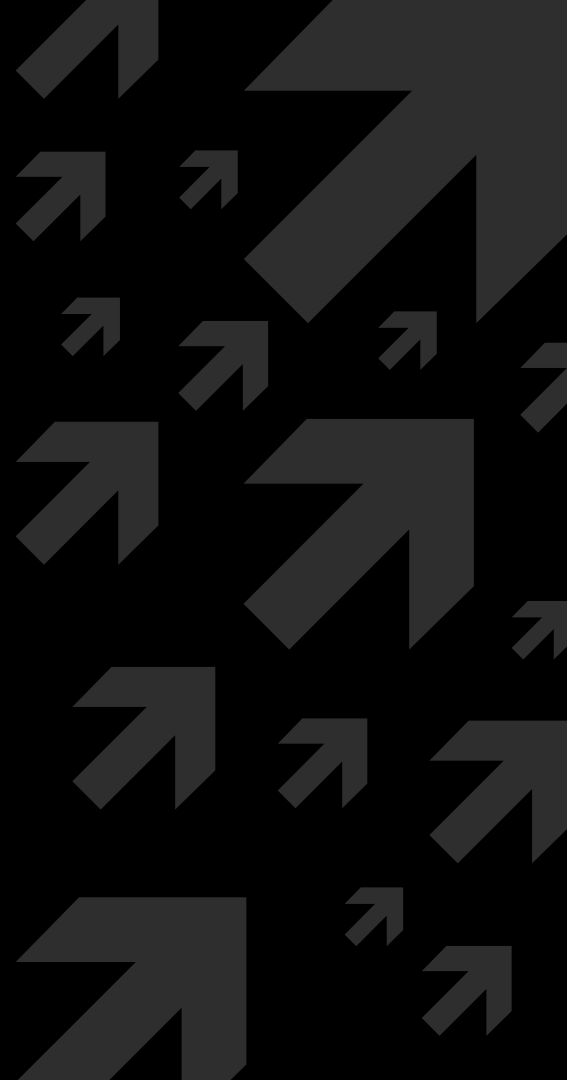


Requirements

- Patient must have
 - Unexpired written certificate from board-registered practitioner
 - Current active patient registration issued by Board of Pharmacy
- Five pharmaceutical processors in state (4 active)
 - Abingdon, Portsmouth, Manassas, Richmond

4. Implications of legalization

What actually happens when states legalize



Social Equity

- Simple possession
 - Records sealed 2020
- Misdemeanor possession with intent to distribute
 - Records sealed from public view 7/2021
- All records of above to be sealed by 2025 across all state and private records
- Virginians can petition to seal all marijuana related misdemeanors and most felonies
 - Removes potential barriers for housing, education, employment

Social Equity

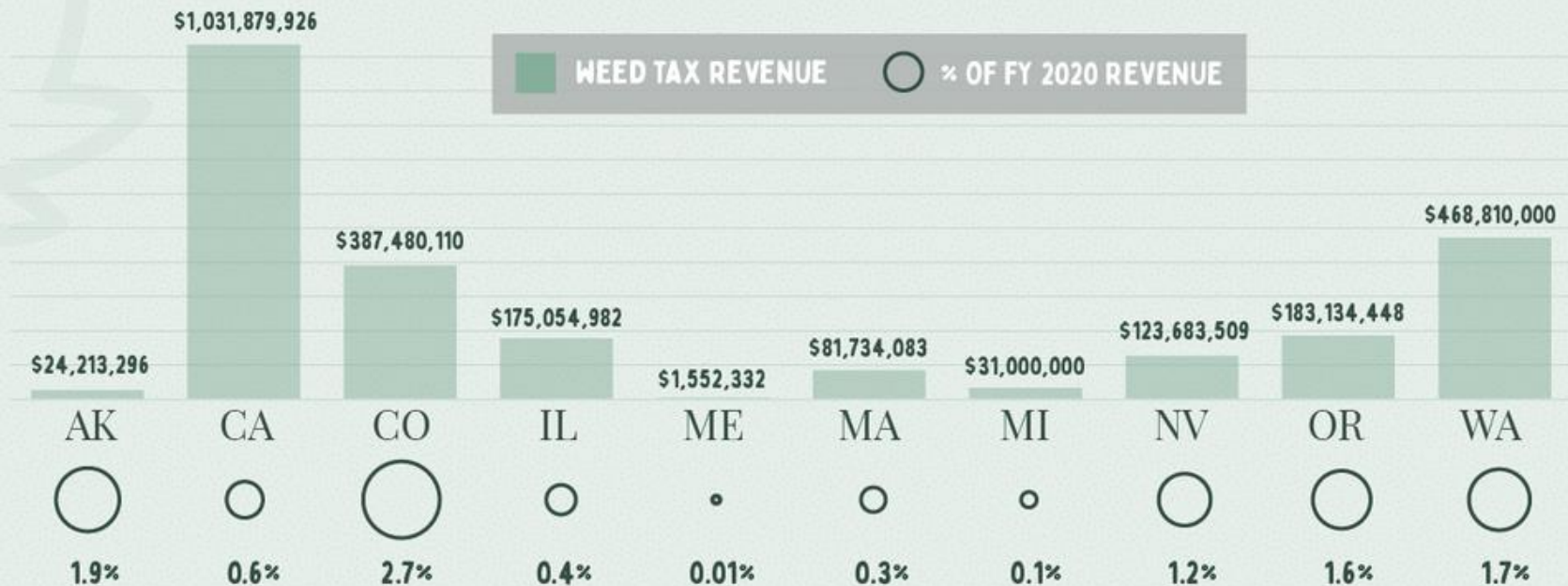
- Business Equity & Diversity Support Team at the Cannabis Control Authority
 - Promotion of woman-owned and minority-owned businesses, especially in areas disproportionately impacted by prohibition
- Cannabis Equity Reinvestment Fund (est \$26M to \$128M) for above impacted areas

Public Health

- Cannabis Public Health Advisory Board hold veto power over CCA on all health-related matters and health regulations
- Best practices to avoid youth access (banning advertising near schools, prohibiting stores near schools, mandating warning labels and child protection locks, and public education campaigns)
- 25% of tax revenue to substance abuse prevention and treatment, 5% to public health programs

MARIJUANA TAX REVENUE, 2020

Including all applicable taxes; some states report medical sales with recreational sales

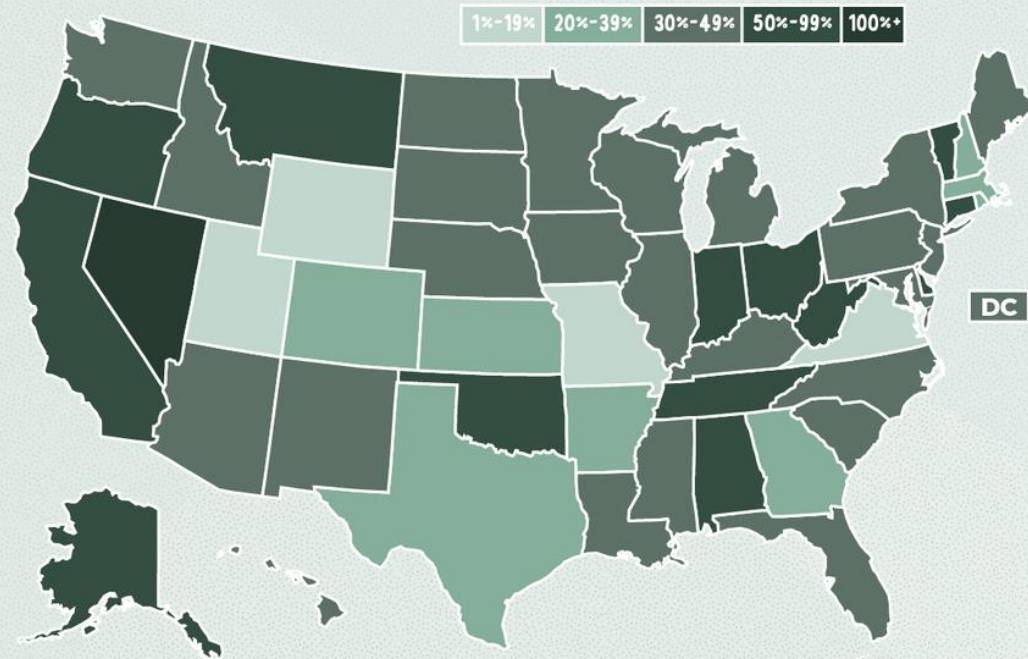


SOURCE: STATE REVENUE & COMPTROLLER REPORTS AND TAX FOUNDATION



INCREASE IN ADULT MARIJUANA USE

Percentage change in past-month marijuana use, ages 18+, 2015–2020

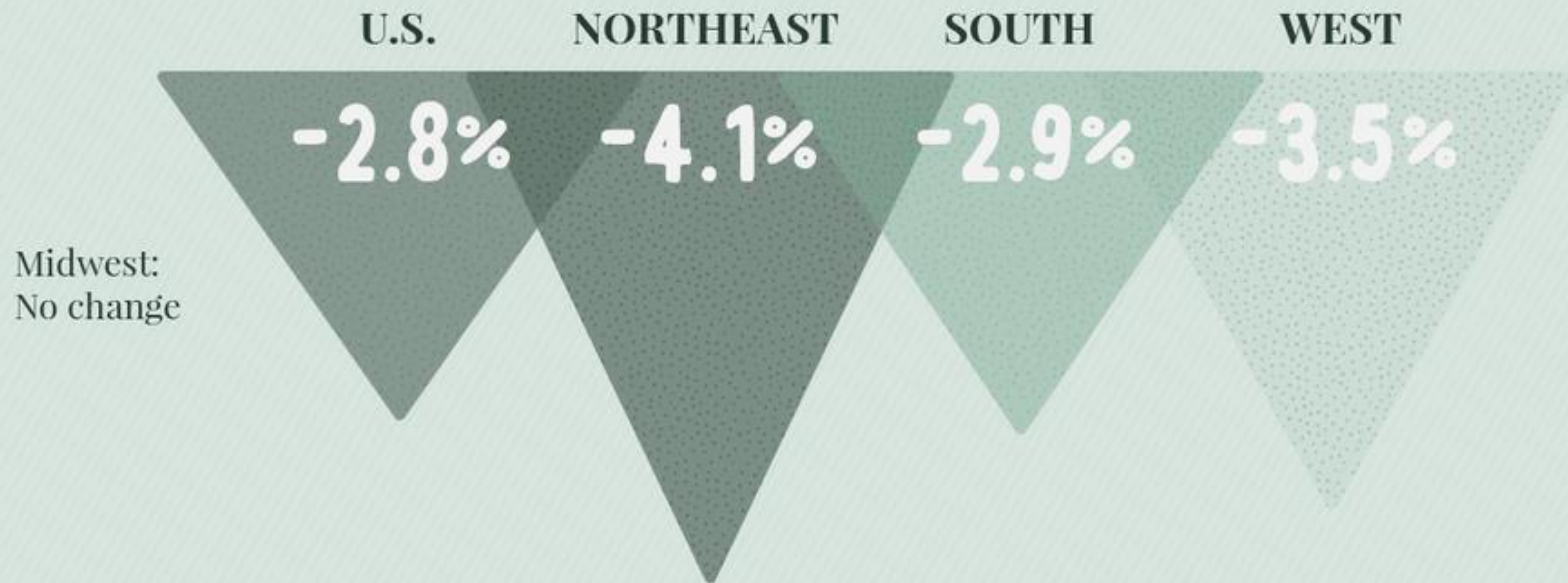


SOURCE: SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, 2020 AND 2015 DRUG USE ESTIMATES



CHANGE IN REGULAR YOUTH MARIJUANA USE BY REGION

Decline of regional average in past-month marijuana use, ages 12-17, 2015-2020

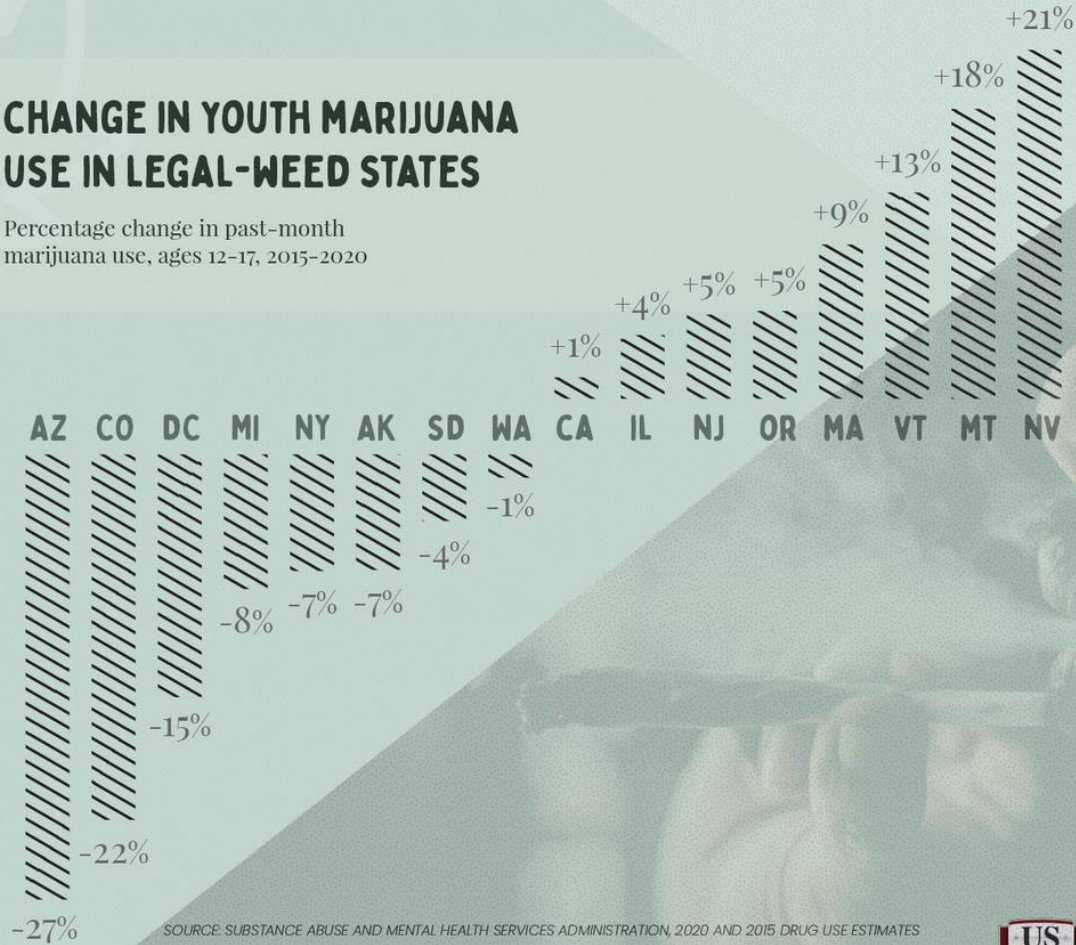


SOURCE: SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, 2020 AND 2015 DRUG USE ESTIMATES



CHANGE IN YOUTH MARIJUANA USE IN LEGAL-WEED STATES

Percentage change in past-month marijuana use, ages 12-17, 2015-2020



SOURCE: SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, 2020 AND 2015 DRUG USE ESTIMATES

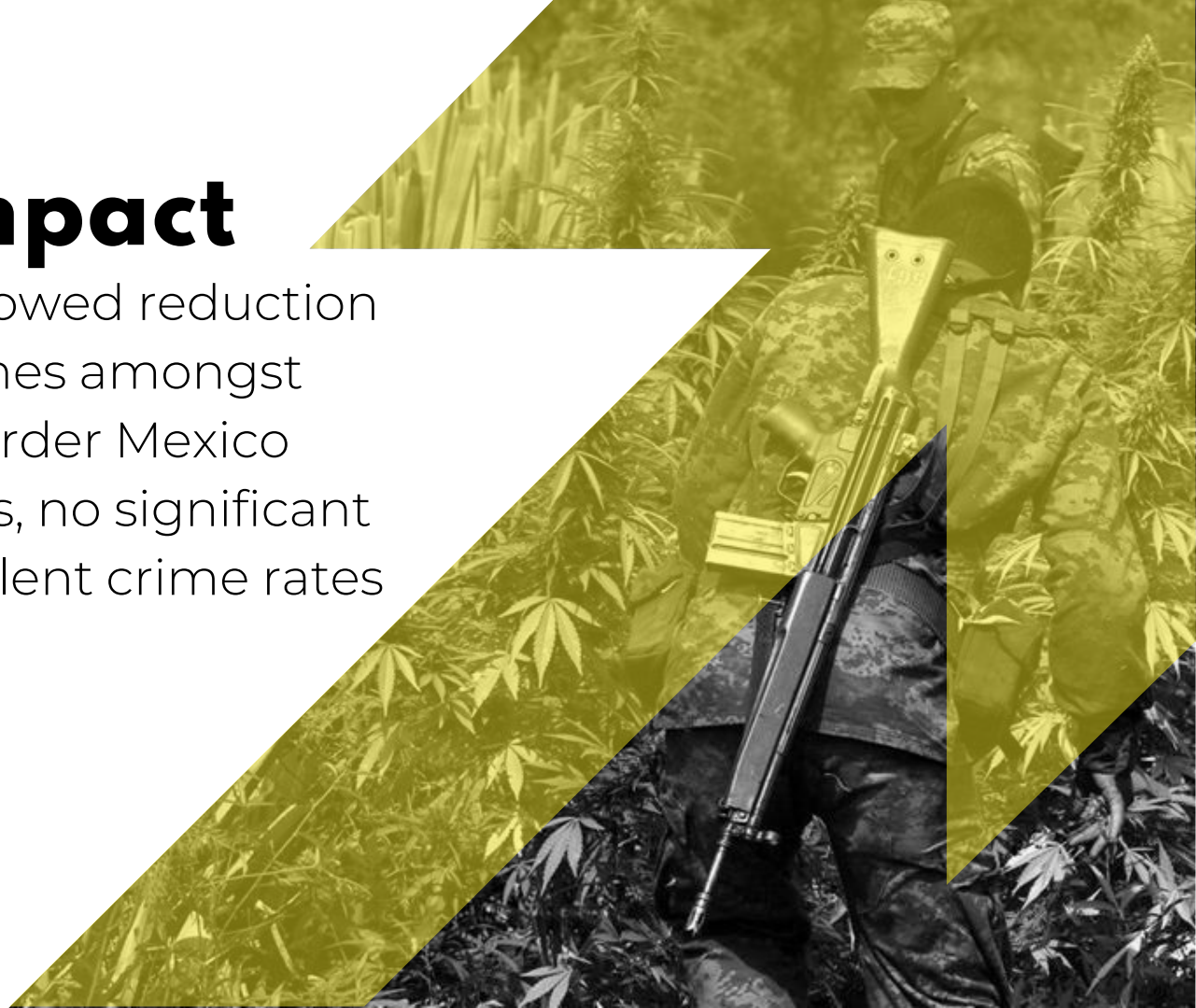


Impact

- In 10 states in 2020, \$2.5B taxes collected
- Use of marijuana is increasing in every state, regardless of legal status (VA second lowest +17%)
 - Virginia has consistently been in bottom 10 states of percentage of marijuana users
 - Minority populations and females had larger increases in use amongst students
- Estimates of \$128.8B in tax revenue, 1.6M jobs

Crime Impact

- 2017 study showed reduction in violent crimes amongst states that border Mexico
- In other states, no significant impact on violent crime rates



US Impact

- Junk food sales increased 3-5% in legalized states
- Colorado - increased state revenue, decreased violent crime, increased homelessness, >2x increase in marijuana related hospital visits, increased youth usage (though not signif), increase in births w/THC
- Oregon - increase in cannabis related calls to poison center, 10% decrease in violent crime (-13% murder)
- DC - all cannabis related offenses decreased 85%

Predictions

- Stock prices for cannabis companies increase
- Youth use will decline or not significantly increase
- Surrounding states (Maryland) follow suit
- Increase in DUIs/motor vehicle accidents
- More accidental ingestions, pets and children
- Increased ED/hospital visits related to cannabis
- State tourism increases
- Continued decreases in tobacco use
- Opioid deaths do not increase in line w/nation

Thanks!

Any questions?

You can find me at:

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- Other links linktr.ee/sulmanazizmirzamd
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