

Laws specific to veterinarians

2018 California AB 2215 permits “discuss” -> CA VMB Guidelines

2021 Michigan HB 5085 allows a veterinarian to consult with the owner on the use of cannabis or hemp for their animal.

2021 Nevada AB 101 permits veterinarians to discuss, recommend, and administer a product containing hemp or CBD to an animal.

2022 Utah SB 209 a veterinarian is not prohibited from discussing the effect of cannabis on an animal with the animal's owner.

States with VMB/VMA/Legislative Cannabis language for DVMs but w/o legislation

Pending Legislation:

Rhode Island [H7469](#) – Died, Committee recommended measure be held for further study.

New York

[NY A05172](#) – [Bill Page](#) (Stuck in Committee, will most likely not make it out).

Provides access to medical marijuana for an animal when a veterinarian determines such animal has any medical condition that may benefit from treatment with medical marijuana.

VMB/VMA Language:

Alabama – Restricts

[Alabama Veterinarian Publication for ALVMA Members](#) – Fall 2019

Under current federal and state law, veterinarians who administer, dispense, prescribe, or recommend products (including cannabis-derived products) that are not approved for use in animals, or that are not approved for use in animals or people in accord with FDA extra label drug use regulations, face increased potential legal risk.

Colorado – Discussion only

[CVMA](#) Position Statement on Marijuana and Marijuana-derived Products in Companion Animals
The Colorado Veterinary Medical Association (CVMA) recognizes the interest of companion animal owners and veterinarians regarding the potential benefits of marijuana therapies for a variety of animal medical conditions. Similar to human medicine, there is extremely limited data on the medical benefits and side effects of marijuana products in companion animals. There are no FDA-approved uses of marijuana in food-producing animals; this position statement applies only to companion animals.

Veterinarians have an obligation to provide companion animal owners with complete education in regard to the potential risks and benefits of marijuana products in animals. The following points are the foundation for full understanding and disclosure regarding the use of marijuana and marijuana-derived products in animals:

Legal aspects

- It is illegal in the State of Colorado for a veterinarian to prescribe marijuana for animal use.
- Any discussion regarding a specific marijuana product as part of a companion animal's therapeutic regimen should be consistent with a valid Veterinarian-Client-Patient Relationship.

Georgia – Restricts

[Policy on Cannabis](#) – Georgia Veterinary Medical Association

Currently in Georgia it is illegal to recommend marijuana derived products for veterinary use.

Hawaii

<https://hawaiivetmed.org/avma-cannabis-info/>

Indiana – Restricts

[2021 Glad YOU Asked That](#) – Indiana Veterinary Medical Association

Question: Can a veterinarian prescribe a CBD oil product for a patient?

Answer: Only FDA-approved human and animal drugs are eligible for extralabel use by veterinarians. One CBD-containing drug (Epidiolex [cannabidiol]) and three synthetic THC-related drugs (Marinol [dronabinol], Syndros [dronabinol], Cesamet [nabilone] have been approved by FDA for use in humans and those can be legally used by veterinarians when they follow extralabel drug use requirements under the Animal Medicinal Drug Use Clarification Act (AMDUCA).

Currently there are no cannabis-derived or cannabis-related products approved for use in animals. FDA has indicated they consider these products to be unapproved new animal drugs and has sent warning letters to manufacturers of CBD products. There are a number of drugs veterinarians use that are not approved by FDA. However, such drugs are typically drug-listed with FDA and manufactured under FDA current Good Manufacturing Practices. FDA has clearly stated that CBD and THC are considered to be drugs and require FDA approval for marketing in interstate commerce and that they also cannot be added to animal feed marketed in interstate commerce. Numerous warning letters have been issued by FDA, including in late December 2020, including two for pet products: <https://www.fda.gov/news-events/press-announcements/fda-warns-companies-illegally-selling-cbd-products>. In addition, for unapproved cannabis-derived products, questions remain regarding their chemical composition. There is not an industry-wide standard for quality, purity, and strength of cannabinoid products. Recent investigations indicate that up to 69% of CBD products on the market are inaccurately labelled in terms of their cannabinoid concentration. There are also not yet industry-wide methodologies to prevent potential contaminants such as pesticides, synthetic cannabinoids, metal particles, molds, bacteria and solvents used as part of extraction processes (e.g., ethanol, petroleum-ether, butane). All of this presents additional challenges to safe and effective use, as well as an increased risk of toxicosis. The Pet Poison Helpline indicates that up to 50% of pets exposed to CBD products required veterinary intervention

Kentucky – Restricts

[Statements & Announcements](#) – Kentucky Board of Veterinary Examiners

Industrial Hemp Derived Products / CBD use in Animals

In regard to veterinarians or clinics, the Board cautions that selling, prescribing, or advising on the use of cannabidiol (CBD) in animals is at your own risk in the event a patient has an adverse reaction.

In Kentucky, pursuant to [40 KRS 218A.010\(27\)](#), CBD products are legal when derived from industrial hemp (*Cannabis sativa* L. with a tetrahydrocannabinol (THC) concentration of not more than 0.3% on a dry weight basis).

There is no prohibition in Kentucky for carrying this product in a store or clinic as a product with an off-label use.

Per federal rule, practitioners are prohibited from making efficacy claims about CBD products.

Maryland – Restricts

[Statement from the State Board of Veterinary Medical Examiners - CBD Oil and Maryland Veterinarians](#) (March 1, 2019)

The State Board recognizes that many pet owners choose to administer these products to their pets regardless of legal status or veterinary advice. The Board is also aware that many products claiming to be CBD Oil are easily available online and in reputable establishments. Still, the Board urges veterinarians to exhibit great caution if clients initiate discussions about these drugs. Regulations adopted under the Maryland Veterinary Practice Act state that: “a veterinarian shall ensure that all controlled dangerous substances are maintained, administered, prescribed, dispensed, and destroyed in compliance with all State and federal laws. See COMAR 15.14.01.12B. In addition, a veterinarian’s failure to comply with State and federal laws with respect to use of controlled dangerous substances may violate the Board’s professional conduct regulation, found in COMAR 15.14.01.04 , and its professional judgment regulation, found in COMAR 15.14.01.07.

If the Board receives a complaint involving an adverse reaction to a CBD product that was administered, prescribed, or recommended by a veterinarian, issues such as the status of the law, and the status of FDA approval of CBD products, may be considered by the Board during a disciplinary proceeding.

Minnesota – Restricts

[Minnesota Board of Veterinary Medicine Newsletter](#) Spring 2019

The 2018 federal Farm Bill exempted these industrial hemp products from the Controlled Substances Act. CBD derived from hemp is not a controlled substance under Minnesota law. CBD products that also contain THC might be considered controlled substances under both federal and state law, depending on the amount of THC present. Regardless of their controlled substance status, CBD products are not legal under current Minnesota law when the intent of their sale is to treat diseases or to alter the structure and function of human or animal bodies. When used for those purposes the products are considered to be misbranded and adulterated drugs. It is actually a crime (misdemeanor) to sell misbranded and adulterated drugs.

Based on current federal and state regulations, veterinarians are encouraged to advise clients of the risks, lack of quality control and legal constraints. When new compelling scientific evidence is developed and both state and federal regulations are clarified, these guidelines may change.

Nebraska – Restricts

[Minutes of the Meeting of the Board of Veterinary Medicine and Surgery](#) – April 8, 2020

Use of CBD's is currently illegal or prohibited by Nebraska Law. It is not illegal for a DVM when asked, to educate his clients, however they cannot recommend CBD's due to current legislation.

New Hampshire – Restricts

[Current Laws and Policies Regarding on Cannabis products, including Marijuana, Hemp and CBD Oil](#)

The New Hampshire Board of Veterinary Medicine cannot provide any legal advice on the use or recommendation of cannabinoids, including CBD oil.

NH Board of Pharmacy has not released a statement of recommendation for veterinarians. NH Board of Veterinary Medicine, from a public safety and enforcement perspective, would be obligated to investigate any complaint made involving the treatment of an animal with cannabis-related substances and take appropriate disciplinary actions if the findings warranted.

Oregon – Discussion only

*Oregon Veterinary Medical Examining Board (OVMEB):

“Veterinarians may discuss the use of cannabis with clients, and are advised to inform clients about published data on toxicity in animals, as well as lack of scientific data on benefits.”

Statement by Lori Makinen, Executive Director of OVMEB, “The Board cannot prohibit veterinarians from talking to clients about anything (free speech). Cannabis is still scheduled by the federal government, which means the DEA would oppose a facility stocking and distributing these substances, however it's not a Board issue unless a licensee incurs a felony conviction.”

*from [VCS](#) Advocacy plan May 2020

South Carolina – Restricts

[FAQ](#) – South Carolina Board of Veterinary Medicine

Can licensed veterinarians treat and/or prescribe animals supplements containing cannabis derivatives?

No. Currently, there are no approved animal drugs derived from cannabis. Animal drugs must generally receive premarket approval by FDA via the New Animal Drug Application (NADA) process. The manufacture and marketing/sales of drugs in interstate that have not been FDA approved is a violation of federal law.

Is it legal for veterinarians to sell CBD products?

It largely depends on the intended use of the product and how it is labeled and marketed. Even if a CBD product meets the definition of 'hemp' under the 2018 Farm Bill, its marketing and sale

must comply with other applicable laws, including the FDA and its regulations and those at the state level.

FDA has expressed its concern regarding products containing CBD and other cannabis-derived compounds that are being marketed for therapeutic use without approval by FDA. They have stated that, "Selling unapproved products with unsubstantiated therapeutic claims is not only a violation of the law, but can also put patients at risk, as the products have not been proven to be safe or effective." Therapeutic claims include not only those on the label of the product, but also those used in promotion (e.g., websites, advertisements, circulars, testimonials) that suggest the intended use(s) of the product.

The marketing of unapproved treatments also raises the possibility that animal owners may choose to use these unapproved products in lieu of approved therapies to treat serious diseases and conditions in their animals, which may result in treatment failures and increased animal suffering.

The use of unapproved drugs can put patients at risk and may create a legal risk for veterinarians who administer, prescribe, dispense, or recommend them because they have not been evaluated for efficacy and safety by the FDA. Risk may be heightened when approved treatments are available and are not utilized, or when patients for which unapproved drugs have been administered, prescribed, dispensed, or recommended are adversely impacted (either side effects or treatment failures).

My state has laws that allow cannabis to be sold for medical use without FDA approval. Doesn't that mean, as a veterinarian, that I can legally use and/or recommend them for my patients?

No. To date, laws that have been passed by states that remove state restrictions on the use of cannabis for medical or recreational use by people do not apply to their use in animals.

Washington – Restricts

Washington State Department of Health – [Veterinary](#)

The Veterinary Board of Governors is aware that the area of cannabis and its derivative products, in particular the use of cannabidiol (CBD), is rapidly evolving. The board has heard concerns from both veterinary professionals and clients surrounding the use of cannabis. Due to confusion on federal and state levels, we're unable to give guidance on the legality of providing advice to clients regarding cannabis use. The board intends to explore this issue further as it receives clarification. As a reminder, veterinarians aren't authorized to prescribe Schedule I drugs. As the board receives more information, this statement will be updated.

Wisconsin – Discussion only, restricts

[Frequently Asked Questions](#) – Wisconsin Veterinary Examining Board

Q: May I prescribe or recommend cannabis products, such as CBD?

The VEB has published a guidance document for veterinarians on the use of cannabis in the practice of veterinary medicine. Generally, a veterinarian may not prescribe or recommend cannabis products for use as a remedy to an animal health concern in an animal. To reduce the risk to animal health, veterinarians may discuss such products with their clients, provide

available information, and express concerns. Veterinarians may also explain why they cannot administer, prescribe, dispense, refer, or recommend such products.

[Veterinary Examining Board Guidance Document](#)

Board Position

Administering, prescribing, or dispensing drugs or food additives must conform to state and federal laws and regulations, including FDA regulations (Wis. Stat. § 89.07 (b) and Wis. Admin. Code § VE 7.06 (4)).

Referring or recommending drugs or food additives must conform to state and federal laws and regulations, including FDA regulations (Wis. Admin. Code § VE 7.06 (4)).

The Board acknowledges that cannabis products are currently being marketed to pet owners in a manner that does not conform to state and federal laws and regulations, including FDA regulations. To reduce the risk to animal health, veterinarians may discuss such products with their clients, provide available information, and express concerns. Veterinarians may also explain why they cannot administer, prescribe, dispense, refer, or recommend such products.