

March 14, 2023

TECHNICAL ADVISORY GUIDANCE

INFORMATION REQUIRES IMMEDIATE ATTENTION

To: All West Virginia Medical Cannabis Permit Holders

From: West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Medical Cannabis

Effective Date: Immediately

RE: Return of Medical Cannabis Products

The West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Medical Cannabis (OMC) is issuing this technical advisory to provide guidance for West Virginia medical cannabis dispensaries in the event of patient requested return of medical cannabis products.

- No medical cannabis products shall be physically exchanged from patients back to West Virginia medical cannabis dispensaries after sales are completed.
- All existing medical cannabis product returns currently in inventory must be destroyed or transported back to the processor for destruction within 60 days of this technical advisory.
- Medical cannabis dispensaries may, at the company's discretion, offer patients store credit as compensation for unwanted medical cannabis products.
 - Store credit shall only be offered to patients by the same dispensary where the unwanted medical cannabis product was originally purchased.
- Patient medical cannabis allotments shall ***not*** be credited/adjusted to compensate for the amount of unwanted medical cannabis products.
 - When any medical cannabis product is purchased with store credit, it must be subtracted from the patient's allotment until that purchase falls off naturally in 30 days and is returned to the patient's allotment automatically, as with any other transaction.
- Dispensaries shall instruct patients to dispose of their unwanted medical cannabis products themselves in a safe and legal manner.
- Adverse patient reactions to medical cannabis products should be reported to OMC via online comment submission form, which can be found at www.omc.wv.gov.
 - Dispensaries may assist patients with the online OMC comment submission form.
- OMC advises dispensaries to post this technical advisory and/or policies regarding patient dissatisfaction with medical cannabis products in a conspicuous place.