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Effective Date: 10/2/25	Doc Number: OMC-021-2025	Revision Date:

POLICY

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PURPOSE

The purpose of this document is to establish guidelines within the West Virginia (WV) Department of Health (DH), Bureau for Public Health (BPH), Office of Medical Cannabis (OMC) for approval of drive-through services at medical cannabis dispensaries.

SCOPE

This policy applies to all current and future dispensary licensees approved by the West Virginia Office of Medical Cannabis.

DEFINITIONS

- Act – The West Virginia Medical Cannabis Act and the provisions contained in W. Va. §16A-1-1 *et seq.*
- Bureau – The Bureau for Public Health within the West Virginia Department of Health.
- Caregiver – The individual designated by a patient or, if the patient is under 18 years of age, an individual authorized under W. Va. Code §16A-5-1 *et seq.* to deliver medical cannabis.
- Drive-through - A window with a secure sliding drawer or other approved mechanism, into which medical cannabis may be placed within the confines of the dispensary facility, built into a dispensary facility through which a patient or caregiver may receive medical cannabis products without leaving their vehicle.
- Medical Cannabis – Cannabis for certified medical use as set forth in this act..
- Medical Cannabis Organization (MCO) – A grower, processor, dispensary. The term does not include a health care medical cannabis organization as defined under W. Va. Code §16A-13-1 *et seq.* or a clinical registrant under W. Va. Code §16A-14-1 *et seq.*
- Medical Cannabis Program – Program authorized under the Act and implemented by the Bureau.
- OMC – West Virginia Office of Medical Cannabis is the governing body within the Bureau responsible for the oversight and regulation of the growing, processing and dispensing of medical cannabis in accordance with the Act
- OMC Staff – All staff of the West Virginia Office of Medical Cannabis.

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Section 1. Overview

The WV Office of Medical Cannabis, herein referred to as the ‘Bureau’ or ‘OMC’ is authorized and mandated by W. Va. Code §16A-1-1 et. seq., to regulate the cannabis industry in West Virginia.

Section 2. Compliance

- 2.1 Drive-through services must be approved by OMC and may only be used by individuals with valid West Virginia-issued medical cannabis patient or caregiver cards.
- 2.2 All transactions must fully comply with West Virginia state laws and regulations governing the purchase, possession, and distribution of medical cannabis.

Section 3. Operational and Security Requirements

- 3.1 The drive-through must be equipped with a sliding security drawer, into which medical cannabis may be placed within the confines of the dispensary facility, which must be used to deliver all products directly to the patient or caregiver. No other form of window service shall be permitted.
- 3.2 Patients and/or caregivers must be visibly monitored by video surveillance during all transactions, and surveillance must function in all lighting conditions.
- 3.3 Medical cannabis products may only be provided to the patient or caregiver who made the purchase, and that individual must:
 - a. Be seated in the driver’s seat, and
 - b. Be clearly visible on camera at the time of the transaction.

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3.4 Patients or caregivers not in the driver's seat are not eligible for drive-through service.

- a. Dispensary employees must notify such patients of this restriction and are encouraged to advise them to designate a caregiver through the Office of Medical Cannabis (OMC) if they are unable to drive or enter the dispensary.

Section 4. Approval and Oversight

4.1 The drive-through setup must be inspected and approved by the OMC before it may be used.

4.2 Drive-through privileges may be revoked by the OMC if dispensary personnel are found to be in violation of any applicable laws, regulations, or policies.

Section 5. Dispensary Responsibility

5.1 Each dispensary offering drive-through services must develop and implement a written policy or Standard Operating Procedure (SOP) that is approved by OMC enforcing this policy among staff .

- a. The policy will be reviewed by OMC for compliance prior to, or at the time of the drive-through inspection.

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Reviewed and Authorized by:



Lee Orr, Interim Director, OMC

Date Signed: 10/2/25