

## **320-M MEDICAL MARIJUANA AND CBD OIL PRODUCTS**

REVISION DATES: 7/13/2022, 1/15/2020, 04/17/2015

EFFECTIVE DATE: March 2, 2015

REFERENCES: 9 A.A.C. 22, Article 2, 42 CFR 440.120, AMPM 320-M Medical Marijuana

### **PURPOSE**

This policy applies to members who receive services from the Division and vendors and subcontractors who provide services to Division members. This policy establishes requirements for the coverage and use of medical marijuana and all cannabidiol (CBD) products (regardless of plant derivation).

### **DEFINITIONS**

1. "AHCCCS Registered Provider" means a contracted provider or non-contracting provider who enters into a provider agreement with AHCCCS and meets licensing or certification requirements to provide AHCCCS-covered services.
2. "Medical Marijuana" means products that are a cannabis product requiring a medical marijuana card and are sold in a Marijuana Dispensary or a CBD Oil store.

## **POLICY**

### **A. Medical Marijuana and CBD Products**

The Division covers medically necessary federally and state reimbursable medications prescribed by a physician, physician assistant, nurse practitioner, dentist or other AHCCCS approved practitioner and dispensed by a licensed AHCCCS registered pharmacy, as defined in 9 A.A.C. 22, Article 2. Under 42 CFR 440.120 Medical Marijuana or CBD Oil products do not qualify as federally reimbursable medications. The Division does not cover medical marijuana or CBD Oil. The Division will not provide reimbursement for an office visit, these products or any other services that are primarily for the purpose of determining if a member would benefit from medical marijuana. The Division recognizes that AHCCCS registered providers operating within the scope of their license may recommend the use of medical marijuana or CBD Oil although it is not a covered benefit.

Under no circumstance shall any employee of the Department and any owner, director, principal, agent, employee, subcontractor, volunteer, and staff of the Division's service providers administer or

store medical marijuana or CBD Oil products (regardless of the plant) for Division members. Examples of medical marijuana products would include marijuana plants, pre-rolled marijuana cigarettes, marijuana edibles, marijuana vaping products etc.

**B. FDA Approved Cannabidiol Products**

This policy does not apply to the prescribing or administering of FDA approved medications that may include cannabidiol or its components.

Under Federal Law, there are currently prescription medications commercially available that contain cannabidiol ingredients.

Medications such as Epidiolex™ (cannabidiol) and Marinol™ (dronabinol), are allowed because they are FDA approved products requiring a prescription and dispensed by an AHCCCS registered pharmacy.

Signature of Chief Medical Officer:   
[Anthony Dekker \(Jul 6, 2022 12:06 PDT\)](#)  
Anthony Dekker, D.O.