MARIJUANA (CANNABIS) AND EPILEPSY

The Virginia government “decriminalized” the cannabis derivative CBD (cannabidiol) and THC-A (a synthetic form of THC) in March, 2015. However, cannabis and its derivatives remain schedule 1 drugs regulated by the US Drug Enforcement Agency (DEA). Schedule 1 drugs are illegal by definition under federal law. So, it can’t technically be legal in Virginia, but only “decriminalized”. This brochure provides some information; you should talk to your epilepsy specialist for more information.

What is cannabis?
Cannabis is the plant name for marijuana. The main components of cannabis are tetrahydrocannabinol (THC) and cannabidiol (CBD). THC causes the “high” that is associated with smoking marijuana. CBD does not cause these effects. Most marijuana plants have little CBD and a lot of THC because they were grown for their psychoactive properties. However, some cannabis plants are high in CBD. CBD is most commonly available as an oil.

Why is CBD so popular recently?
A young girl with a severe type of epilepsy, called Dravet’s syndrome, was helped dramatically when her parents gave her CBD oil and this was reported in the popular press. At the same time, marijuana was being decriminalized in several states so CBD might become more available.

Is cannabis effective for treating epilepsy?
There are no large randomized controlled studies that show CBD is effective (or safe). There are some preliminary studies suggesting it might be effective for epilepsy. Many people have smoked marijuana in the past and many people now take CBD oil and think it helps their seizures. There are two older studies that suggested CBD reduces seizure frequency; one study had 9 patients in 1978 and the other study had 15 patients in 1980.

Will CBD make you high?
Probably not. In studies done so far, CBD does not cause euphoria, elation, happiness or feelings of being “high”.

What are the side effects of CBD?
The side effects have not been studied. It is popular to think that CBD must be harmless because so many people smoke marijuana “without any problems”. However, this is not correct. Studies of teenagers who smoked marijuana regularly had a lower IQ than those who didn’t and lost IQ points even when tested years after they stopped smoking marijuana. Also, we expect that the dose of CBD to control seizures will be much higher than the dose from recreational use of marijuana so it is not a fair comparison. Finally, the effects of CBD on brain development in young children are not known.

Is CBD legal in Virginia?
Since state laws cannot conflict with federal laws, and cannabis is illegal under federal law, cannabis can’t be legal in Virginia (or any other state) strictly speaking. However, Virginia has passed a law that it will not convict anyone who possesses CBD for the treatment of epilepsy. The law requires that the CBD be of the type that would be used for epilepsy, which means the concentration of CBD is at least 50 mg per ml but it must contain less than 5% THC. Most CBD oils advertised on the internet or in other venues do not contain this much CBD.
Is CBD available in Virginia?
CBD is not a drug and is not manufactured or regulated like a drug since it is not approved as safe and effective by the Food and Drug Administration (FDA). It can now be produced in Virginia without prosecution, similar to an herbal product. However, herbal products do not require any evidence that they are safe or effective and they do not have to follow “good manufacturing practice” which is required of pharmaceutical products. This type of compound is referred to as artisanal CBD oil. Since cannabis has not been legal until now, CBD is not currently available in Virginia even as artisanal CBD. A bigger problem is that artisanal CBD has an unknown amount of CBD and may contain impurities, such as pesticides. Some products sold as CBD oil have been found to not actually contain any CBD when examined by a laboratory. If someone were to take CBD oil, it would make sense to have it tested by a laboratory to determine the concentration of CBD and whether it has any impurities.

What is the procedure for getting CBD in Virginia?
The legislature has specified that physicians can complete a “Defendant’s Certificate” from the Virginia Board of Medicine that patients can carry with them. If a person is arrested for possession of CBD then they can produce this form for the Commonwealth’s Attorney and the judge will release them from the charges.

Is CBD recommended for treatment of epilepsy?
In general, artisanal CBD is not recommended by epilepsy experts because: 1) it is not known whether CBD is effective or safe, 2) there is no source of it in Virginia, 3) it is not available in a consistent concentration, and 4) it may contain unknown impurities. Overall, the risk to benefit ratio of CBD is not as good as for other normally available drugs for treatment of epilepsy. However, for people with epilepsy that persists despite the available therapy, then some people might accept the unknown risk and possible benefit of CBD. This should be done under the guidance of an epilepsy specialist who can consider this among other treatments.

Is there any ongoing research about CBD?
Yes. There are ongoing randomized controlled clinical trials of CBD for treatment of severe forms of epilepsy. It is likely that if the trials show a benefit for CBD and show it to be safe, then it could be approved by the FDA as a regular prescription drug in the next two or three years for the treatment of these severe epilepsies. If it is approved by the FDA, then epilepsy doctors could prescribe it like any other approved anti-seizure medication.

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