# MED D - Medical Marijuana

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**Description:** This document provides information regarding Medical Marijuana.

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| General Information |

The Federal Controlled Substance Act (CSA) is the United States drug policy under which the manufacture, importation, possession, use, and distribution of certain substances is regulated. This legislation created five schedules (classifications) at the Federal Level ([Schedules I-V](#_Schedules)) that are used to classify drugs based upon their:

* Abuse potential
* Accepted medical applications in the U.S.
* Safety and potential for addiction

It is important to note that under the Controlled Substances Act (CSA), Marijuana, along with many other drugs, is defined as a Schedule I drug. At this time Schedule I drugs are **NOT** FDA (Food and Drug Administration) approved prescription products.

Even though some U.S. states have legalized Marijuana for personal, recreational use or for medical use, CVS Caremark does **NOT** offer plans that include coverage for Schedule I drugs and will not adjudicate claims for Schedule I drugs.

Medicare is a Federal Program and follows Federal Regulations, not specific state regulations.

Refer to:

[Controlled Substance List (Alphabetical Order)](CMS-PCP1-042397)

[Controlled Substance List (Sorted by Schedule)](CMS-2-013688)

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| FAQs |

Refer to the following:

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| **Question** | **Answer** |
| Is Medical Marijuana covered under Medicare? | Medical Marijuana or Medical Cannabis is not an FDA approved prescription product and therefore not covered by Medicare. |
| My prescriber wrote me a prescription for Medical Marijuana, can I get it filled through mail order? | Medical Marijuana or Medical Cannabis is not an FDA approved prescription product and therefore cannot be filled through Mail Order. |
| I thought my prescriber has to write a prescription for it, so that means it’s a prescription drug, right? | * Medical Marijuana is governed by state laws. * In states where it is allowed, you typically need a recommendation letter from your prescriber confirming your need for the product before you can obtain Medical Marijuana from a Medical Marijuana dispensary. * In some states you may also require a Medical Marijuana card which can be obtained once you have a recommendation letter. * For more information, please contact your local state health department. |
| Is Medical Marijuana available in all states? | No, only a portion of United States allow for the dispensing of Medical Marijuana for certain health conditions. It is not for recreational use. Please contact your local state health department to see if Medical Marijuana can be dispensed in your state. |
| Can I get a reimbursement form to claim the Medical Marijuana I bought that was prescribed for me to take under my insurance? | Medical Marijuana or Medical Cannabis is not an FDA approved prescription product and therefore not covered by Medicare. |
| If it’s legal in my state, and my doctor prescribed it, why won’t my insurance cover it? | Medical Marijuana or Medical Cannabis is not an FDA approved prescription product and therefore not covered by Medicare. |
| Can I claim Medical Marijuana through my plans OTC benefits? | Medical Marijuana or Medical Cannabis is not an FDA approved prescription product and therefore not covered by Medicare. |

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| Schedules |

Refer to the following:

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| **Schedule** | **Additional Information** |
| I | * The drug or other substance has **NO** currently accepted medical use in treatment in the United States. * The drug or other substance has a high potential for abuse. * There is a lack of accepted safety for use of the drug or other substance under medical supervision. * **Examples:** Marijuana, heroin, lysergic acid diethylamide (LSD). |
| II | * The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions. * The drug or other substance has a high potential for abuse. * Abuse of the drug or other substance may lead to severe psychological or physical dependence. * **Examples:** Morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine. |
| III | * The drug or other substance has a currently accepted medical use in treatment in the United States. * The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II. * Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence. * **Examples:** Anabolic steroids, codeine products with aspirin or Tylenol, and some barbiturates. |
| IV | * The drug or other substance has a currently accepted medical use in treatment in the United States. * The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III. * Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III. * **Examples:**  Alprazolam, clonazepam, and diazepam. |
| V | * The drug or other substance has a currently accepted medical use in treatment in the United States. * The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV. * Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV. * **Examples:** Cough medicines with codeine. |

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| Related Documents |

* Grievance Standard Verbiage (for use in Discussion with Beneficiary) section in [MED D - Grievances Index](TSRC-PROD-007931)
* [Controlled Substance State Laws](file:///C:\Users\ax02205\Desktop\Ready%20to%20Post\CMS-2-004776)

**Parent SOP:** CALL-0048: [Medicare Part D Customer Care Call Center Requirements-CVS Caremark Part D Services, L.L.C.](https://policy.corp.cvscaremark.com/pnp/faces/SecureDocRenderer?documentId=CALL-0048&uid=pnpdev1)

**Abbreviations/Definitions:** [Abbreviations / Definitions](CMS-2-017428)

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