



Pennsylvania - State Specific Information

Information provided is current as of December 20, 2025, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	2016 - (Medical Marijuana Act)
Recreational Use	Not legal
Possession/Personal Use Specifics	Medical cannabis is legal for patients with specific conditions, while CBD products with less than 0.3% THC are legal, and patients must adhere to possession limits specified by their medical cannabis card, with recreational use remaining illegal.
Home cultivation is not legal for medical cannabis patients. All medical cannabis must be purchased from state-licensed dispensaries.	

State Regulatory Agency Information

State Regulatory Agency	Pennsylvania Medical Marijuana Program
State Forms (If Applicable)	No specific form, however legal counsel now strongly recommends a "Safety-Sensitive Designation Form" for all PA-based roles to clearly identify which jobs have the 10ng/mL blood-THC limit.

State Testing Policy

General Information	In Pennsylvania, the Medical Marijuana Act (MMA) protects certified patients from adverse employment actions based solely on their status or a positive THC test in non-safety roles. However, employers can legally exclude patients from safety-sensitive duties—such as tasks at heights, in confined spaces, or involving high-voltage electricity—if the patient has over 10ng/mL of THC in their system. Discipline for standard roles is only permitted upon documented evidence of active workplace impairment. *Remember, establishing robust documentation is a key risk mitigant for employers in states like the Pennsylvania.
Safety Sensitive Positions	Employers may prohibit patients from performing any task the employer deems "life-threatening" or a "public health or safety risk." This is considered a "good faith" determination and does not count as discrimination.
Privacy Laws	Employers in Pennsylvania should obtain written consent from employees before drug testing and must keep test results confidential, sharing them only with those involved in employment decisions or human resources.