



CABINET FOR HEALTH AND FAMILY SERVICES
Office of the Secretary

Andy Beshear
Governor

275 East Main Street, 5W-A
Frankfort, KY 40621
502-564-7042
502-564-7091
www.chfs.ky.gov

Eric C. Friedlander
Secretary

November 12, 2024

Senator Stephen Meredith, Co-Chair
Representative Kimberly Poore-Moser, Co-Chair
c/o DeeAnn Wenk
Interim Joint Committee on Health Services
Legislative Research Commission
104 Capitol Annex
Frankfort KY 40601

Re: 902 KAR 45:001. Definitions for hemp-derived cannabinoid products.

Dear Co-Chairs Meredith and Moser,

After consideration of the issues raised by 902 KAR 45:001, the Department for Public Health proposes the attached agency amendment to this ordinary administrative regulation. During the public comment period on this administrative regulation the department added a citation to the federal definition of “total THC” hoping this would provide further guidance in 902 KAR 45:012. However, following the testimony of Jimmy Higdon at the September Administrative Regulation Review Subcommittee meeting the department believes that this definition only creates more industry uncertainty. Therefore, the department proposes the attached agency amendment to remove the definition of “total THC”.

If you have any questions regarding this matter, please contact Julie Brooks, Department for Public Health, at (502) 229-3377.

Sincerely,
Krista Quarles
Office of Legislative and Regulatory Affairs