



TEAM KENTUCKY[®]

OFFICE OF
MEDICAL CANNABIS

Wednesday, October 23, 2024

Interim Joint Committee on Health Services

Agenda

- Practitioner Update
- Licensing Update
- Local Government Update
- Questions

Kentucky Medical Cannabis Program

- The **Kentucky Medical Cannabis Program (KMCP)** sits within the Cabinet for Health and Family Services and was established to implement the requirements established in Senate Bill 47 (KRS 218B) to govern the safe and effective use of medical cannabis in Kentucky.
- As of July 1, 2024, the Kentucky Medical Cannabis Program is overseen and implemented by the **Office of Medical Cannabis**.



Our Mission

Our mission is to ensure Kentuckians suffering from serious medical conditions have safe, affordable access to medical cannabis. As medical cannabis is a healthcare necessity for Kentuckians with cancer, multiple sclerosis, epilepsy, post-traumatic stress disorder, and other serious conditions, our program will prioritize patient safety, access, and affordability.

kymedcan.ky.gov

Senate Bill 47 (2023) *Implementation*



Update on Medical Cannabis Practitioners

Overview

Practitioner Authorization and Registration

KRS 218B.050(1) requires practitioners to apply with their **state licensing boards** to become authorized to provide written certifications for medical cannabis to qualified patients.

KRS 218B.050(6)(a) requires the Cabinet for Health and Family Services, **Office of Medical Cannabis** to create and provide the written certification form to be used by medical cannabis practitioners when recommending use of medical cannabis for their qualified patients.

State Medical Licensure Boards

Responsible for **authorizing** practitioners to become registered to provide written certifications for medical cannabis

Cabinet for Health and Family Services, Office of Medical Cannabis

Responsible for **registering** authorized practitioners and providing **access to the written certification form**

About Authorized Medical Cannabis Practitioners

Types of Practitioners and Authorizing Licensing Boards

A medical cannabis practitioner, as defined by [KRS 218B.010\(17\)](#), "means a **physician** or an **advanced practice registered nurse** who is authorized to prescribe controlled substances under [KRS 314.042](#), who is authorized by his or her state licensing board to provide written certifications pursuant to [KRS 218B.050](#)."

Physicians



A physician licensed by the **Kentucky Board of Medical Licensure ("KBML")** with the ability to prescribe controlled substances

APRNs



An advanced practice registered nurse ("APRN") licensed by the **Kentucky Board of Nursing ("KBN")** with the ability to prescribe controlled substances

Medical Cannabis Practitioner Authorization

Practitioners must become authorized by a state licensing board and register with the Cabinet's Office of Medical Cannabis to provide written certifications for medical cannabis.

Steps for completing the practitioner authorization process:

Step 1



Apply to your licensing board and become an authorized medical cannabis practitioner

Step 2



Register for an account to access the online Medical Cannabis Practitioner Registry

Step 3



Provide qualified patients written certifications using the registry portal on or after December 1, 2024

Additional Resources

The [Authorized Practitioner Registration Guide](#) is available for download under the “Resources” tab on the “Practitioners” page of the OMC website.

[Download Authorized Practitioner Registration Guide](#)

Additional resources, information, and applications can be found at the links provided below:

**Kentucky Office of
Medical Cannabis**

kymedcan.ky.gov

**Kentucky Board of
Medical Licensure**

kybml.ky.gov

**Kentucky Board
of Nursing**

kybn.ky.gov

Total Practitioners Authorized and Registered

81

Practitioner Outreach

How to become an authorized medical cannabis practitioner



Dates for physicians

- Tuesday, October 15th | 12pm-1pm ET
- Tuesday, December 3rd | 12pm-1pm ET
- Tuesday, February 4th | 12pm-1pm ET
- Tuesday, April 1st | 12pm-1pm ET

Dates for APRNs

- Thursday, October 24th | 12pm-1pm ET
- Thursday, December 19th | 12pm-1pm ET
- Thursday, February 20th | 12pm-1pm ET
- Thursday, April 17th | 12pm-1pm ET

Register at kymedcan.ky.gov/practitioners



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OFFICE OF
MEDICAL CANNABIS

Update on Medical Cannabis Business Licensing

Business Operations and Licensing Regulatory Highlights

The regulations regarding cannabis businesses establish how cultivators, processors, producers, safety compliance facilities, and dispensaries will apply, become licensed, and operate in the Commonwealth. See 915 KAR Chapter 1.

Business
Operations



Business
Licensing



Business Operations and Licensing Regulatory Highlights

On January 4, 2024, the Program filed 10 ordinary regulations governing cannabis business operations in the Commonwealth:

[915 KAR 1:001 Definitions](#)

[915 KAR 1:030 Cultivator](#)

[915 KAR 1:040 Processor](#)

[915 KAR 1:050 Producer](#)

[915 KAR 1:060 Safety compliance facility](#)

[915 KAR 1:070 Dispensary](#)

[915 KAR 1:080 Transportation and delivery of medicinal cannabis](#)

[915 KAR 1:090 Advertising](#)

[915 KAR 1:100 Packaging and labeling of medicinal cannabis](#)

[915 KAR 1:110 Medicinal cannabis testing](#)

Business
Operations



Business Operations and Licensing Regulatory Highlights

Business Licensing



On April 18, 2024, the Program filed 2 emergency regulations with accompanying identical ordinary regulations. These regulations provide how proposed cannabis businesses can apply to become licensed in the Commonwealth and the requirements following licensure.

Emergency Regulations:

[915 KAR 1:010E Initial and renewal applications for cannabis business licenses](#)

[915 KAR 1:020E Cannabis business licenses](#)

Ordinary Regulations:

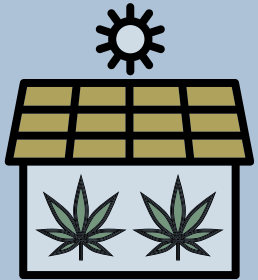
[915 KAR 1:010 Initial and renewal applications for cannabis business licenses](#)

[915 KAR 1:020 Cannabis business licenses](#)

Business Regulations

License Types

Cultivator



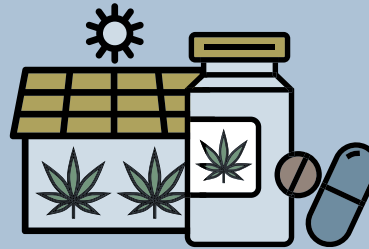
Responsible for **planting, raising, harvesting, trimming, and curing** medical cannabis

Processor



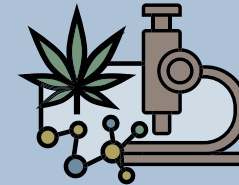
Responsible for **processing and packaging** raw plant material into usable product formats

Producer



Vertically-integrated license combining Cultivator and Processor licensees

Safety compliance facility



Responsible for **contamination and purity testing** of raw plant material and products

Dispensary



Responsible for **purchasing and selling finished products** to cardholders

**Producer licenses will not be available during initial license application availability period*

Business Regulations

Safety and Security Requirements

Testing



All harvest and production batches are subject to **testing for THC and cannabinoid concentrations and toxins.**

Recalls



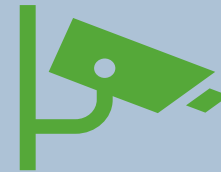
Cannabis businesses may initiate **voluntary or mandatory recalls** based on complaints or risks to public safety and health.

Age Restrictions



All patients **under 18** are required to have a registered caregiver, and no product packaging can appeal to **minors.**

Surveillance and Alarms



Professionally monitored **surveillance and alarm systems** must be used to prevent unauthorized access.

Physical Security and Lighting



All entrances and exits to and from the facility must be **locked** during non-working hours with **proper lighting** used at all times.

Business Regulations

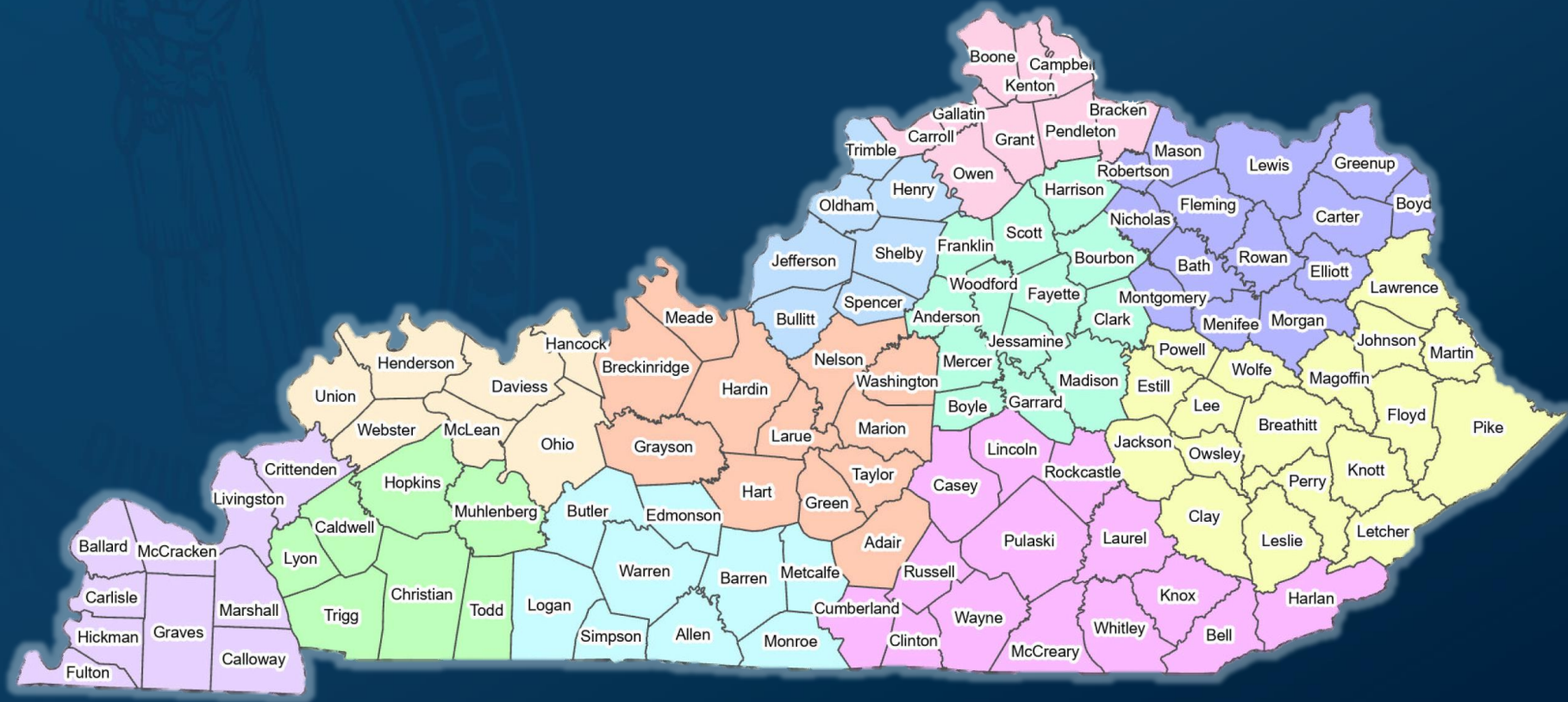
Initial License Availability

Business License Category	Initial Number of Licenses
Tier I cultivator (2,500 sq. ft.)	10
Tier II cultivator (10,000 sq. ft.)	4
Tier III cultivator (25,000 sq. ft.)	2
*Tier IV cultivator (50,000 sq. ft.)	0
Processor	10
Dispensary	48
Safety compliance facility	No Limitation

**Tier IV cultivator (50,000 sq. ft.) licenses will not be available during initial license application availability period*

Business Regulations

Dispensary Regions



Dispensary licenses will be issued in eleven (11) regions.

Business Regulations

Dispensary Regions and Licensing

- Each dispensary region will receive **four (4) dispensary licenses**.
- **Region 1 (Bluegrass)** and **Region 2 (Kentuckiana)** will receive an additional **two (2) licenses for Fayette and Jefferson** counties.
- Applicants may only apply for **one (1) dispensary license per region**.

Business Regulations

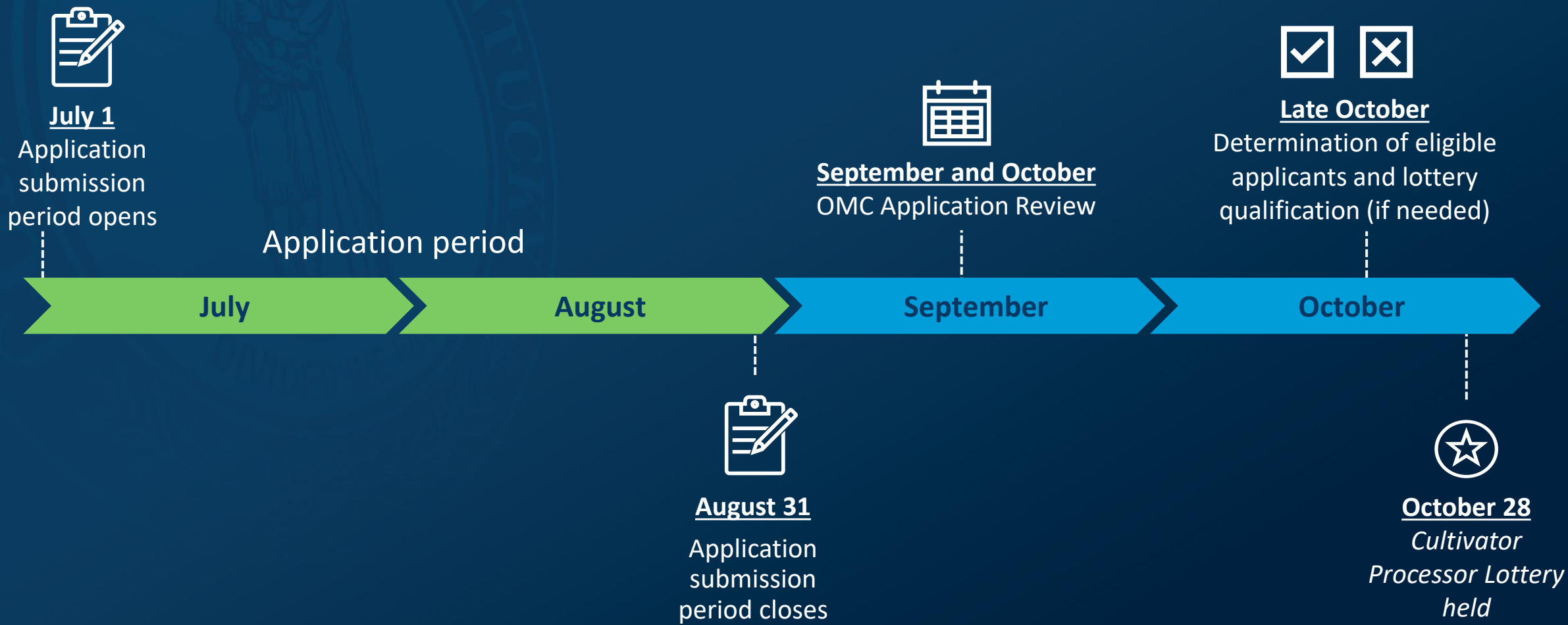
Nonrefundable Application Fees

Business License Category	Nonrefundable Application Fee
Tier I cultivator (2,500 sq. ft.)	\$3,000
Tier II cultivator (10,000 sq. ft.)	\$10,000
Tier III cultivator (25,000 sq. ft.)	\$20,000
*Tier IV cultivator (50,000 sq. ft.)	\$30,000
Processor	\$5,000
Dispensary	\$5,000
Safety compliance facility	\$3,000

**Tier IV cultivator (50,000 sq. ft.) licenses will not be available during initial license application availability period*

Business Regulations

Licensing Application Submission and Review Process



Business License Applications Submitted

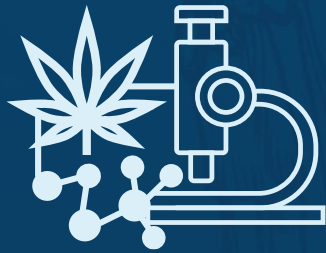
4,998

**Total Applications
Submitted**

Business License Applications Submitted By Category

Cultivator Tier I	239
Cultivator Tier II	190
Cultivator Tier III	155
Processor	334
Safety Compliance Facility	5
Dispensary	4075

Safety Compliance Facility License Awards



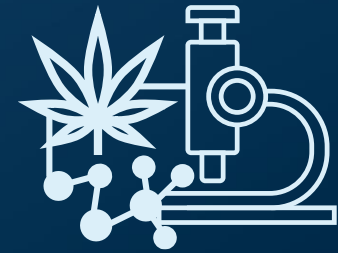
KCA Labs

Nicholasville, KY



FB Thompson LLC

Louisville, KY



Carbon Labs

Louisville, KY

Non-Dispensary License Lottery

Cultivators and Processors

October 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
29	30	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

October 28th

Update on Ballot Measures

Local Government Regulations

If a county or local government prohibits medical cannabis businesses from operating in their territory, KRS 218B.130 sets forth how cities within that jurisdiction may allow licensed cannabis businesses to operate within city limits.

Opt-in



Vote






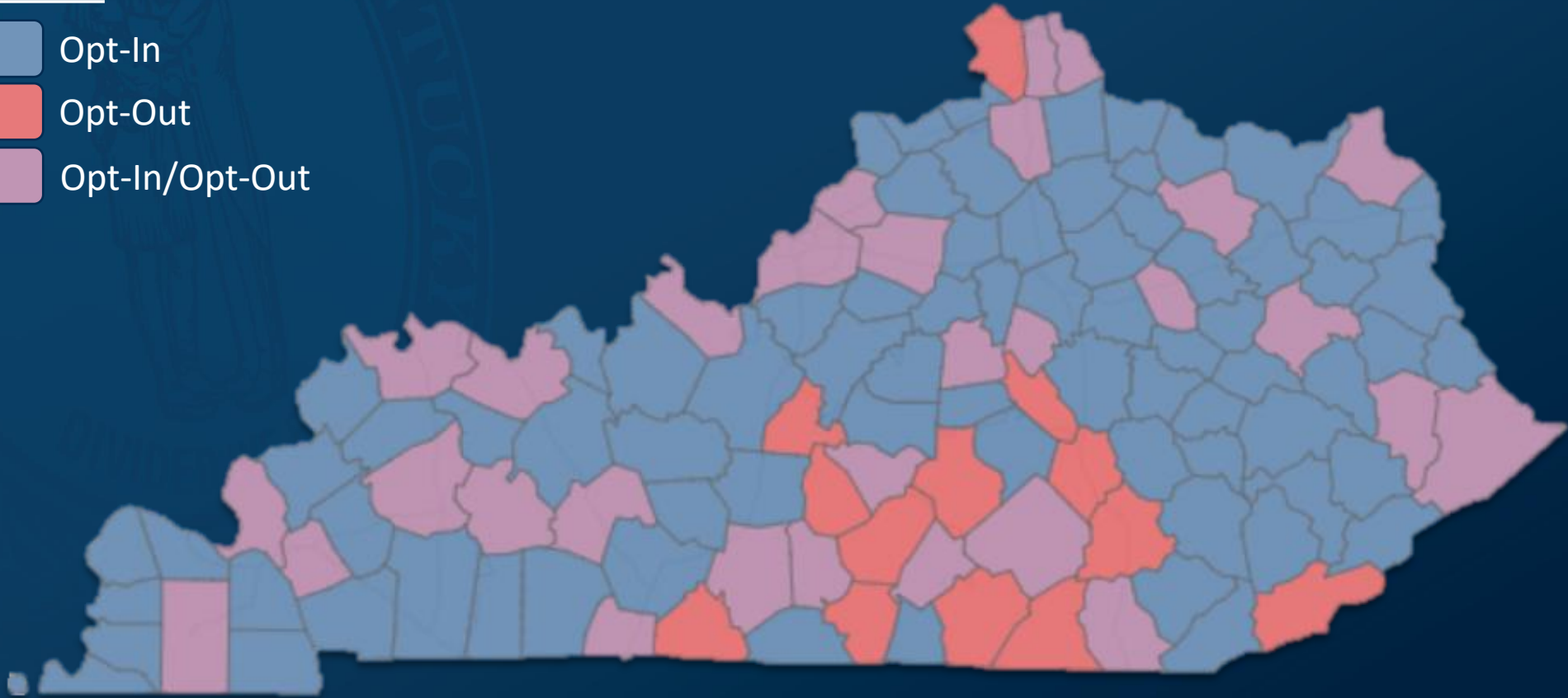
Opt-out



Local Government Opt-In and Opt-Out

Status

-  Opt-In
-  Opt-Out
-  Opt-In/Opt-Out



Local Government Ballot Resolutions

Status

-  No Action
-  County
-  City/Counties
-  City/Cities and County

