

CABINET FOR HEALTH AND FAMILY SERVICES

Office of the Secretary

(New Administrative Regulation)

915 KAR 2:001. Definitions for 915 KAR Chapter 2.

RELATES TO: KRS Chapter 218B

STATUTORY AUTHORITY: KRS 218B.140

NECESSITY, FUNCTION, AND CONFORMITY: KRS 218B.140 requires the Cabinet for Health and Family Services to promulgate administrative regulations to administer the medicinal cannabis program in the commonwealth. This administrative regulation establishes definitions of terms used by the cabinet in administrative regulations pertaining to qualified patients, visiting qualified patients, designated caregivers, and the medicinal cannabis program.

Section 1. Definitions.

- (1) "Bona fide practitioner-patient relationship" is defined by KRS 218B.010(1).
 - (2) "Cabinet" means the Cabinet for Health and Family Services.
 - (3) "Cardholder" is defined by KRS 218B.010(5).
 - (4) "Certificate of analysis" means a document that confirms that the test performed by a safety compliance facility on a harvest batch or production batch meets the testing requirements set forth by the cabinet.
 - (5) "Cultivator" is defined by KRS 218B.010(6).
 - (6) "Designated caregiver" is defined by KRS 218B.010(8).
 - (7) "Dispensary" is defined by KRS 218B.010(9).
 - (8) "Disqualifying felony offense" is defined by KRS 218B.010(11).
 - (9) "Medicinal cannabis" is defined by KRS 218B.010(15).
 - (10) "Medicinal cannabis practitioner" is defined by KRS 218B.010(17).
 - (11) "Medicinal cannabis product" is defined by KRS 218B.010(18).
 - (12) "Minor" is defined by KRS 218B.010(19).
 - (13) "Out-of-state registry identification card" is defined by KRS 218B.010(20).
 - (14) "Producer" is defined by KRS 218B.010(23).
 - (15) "Qualified patient" is defined by KRS 218B.010(25).
 - (16) "Qualifying medical condition" is defined by KRS 218B.010(26).
 - (17) "Registered qualified patient" is defined by KRS 218B.010(28).
 - (18) "Registry identification card" is defined by KRS 218B.010(29).
 - (19) "Safety compliance facility" is defined by KRS 218B.010(30).
 - (20) "Serious violation" is defined by KRS 218B.010(33).
 - (21) "State licensing board" is defined by KRS 218B.010(35).
 - (22) "Telehealth" is defined by KRS 218B.010(36).
 - (23) "Visiting qualified patient" is defined by KRS 218B.010(38).
 - (24) "Written certification" is defined by KRS 218B.010(39).
- (50 Ky.R. 2122; eff. 8-28-2024.)

SAM FLYNN, Executive Director

ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: March 6, 2024

FILED WITH LRC: March 14, 2024 at 11:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on May 22, 2024, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom

invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by May 15, 2024, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until May 31, 2024. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Krista Quarles, Policy Analyst, Office of Legislative and Regulatory Affairs, 275 East Main Street 5 W-A, Frankfort, Kentucky 40621; phone 502-564-7476; fax 502-564-7091; email CHFSregs@ky.gov.