

**CABINET FOR HEALTH AND FAMILY SERVICES**  
**KENTUCKY MEDICAL CANNABIS PROGRAM**  
**TEAM KENTUCKY MEDICAL CANNABIS WORKGROUP**  
**REGULAR MEETING**

**MINUTES OF THE APRIL 19, 2024, MEETING**

- I. The regular meeting of the Team Kentucky Medical Cannabis Workgroup was called to order by Sam Flynn, Executive Director of the Kentucky Medical Cannabis Program, on April 19, 2024, at approximately 3:05 PM. The members met virtually via Zoom.

Workgroup Members Present:

Sam Flynn, designee for Eric Friedlander  
Jamie Link  
Phillip Burnett  
Michael Mueller  
Dorsey Ridley  
Ashley Smith  
Jonathan Hatton  
Julie Cantwell

Workgroup Members not Present:

Jeff Noel  
Marni Gibson  
Tom Miller  
Ashton McKenzie

Additional Attendees:

Shelby Lewis, Executive Policy Advisor, Kentucky Medical Cannabis Program  
Scotty McFarlan, Deputy Executive Director, Kentucky Medical Cannabis Program  
Chafic George, Director of Enforcement and Compliance, Kentucky Medical Cannabis Program  
Alyssa Erickson, Director of Education and Outreach, Kentucky Medical Cannabis Program  
Malaya Rivers, Executive Administrative Secretary, Kentucky Medical Cannabis Program  
Approximately 50 Members of the Public

**II. OLD BUSINESS**

The Workgroup voted on the approval of the March 26, 2024, regular meeting minutes. Mr. Link made a motion to approve the minutes, and Mr. Ridley seconded. The motion carried 8-0.

### **III. NEW BUSINESS**

#### **a. Report from the Executive Director**

Mr. Flynn provided an update on the progress of the Kentucky Medical Cannabis Program (“KMCP” or “Program”), including the program’s filing of additional administrative regulations. Five (5) ordinary regulations were filed on March 14, 2024, establishing processes and procedures for patients and caregivers to receive a medical cannabis card and the supply limits for medical cannabis that individuals can receive.

Mr. Flynn also discussed the two (2) emergency regulations that were filed with accompanying identical ordinary regulations on April 18, 2024, establishing how proposed cannabis businesses can apply to become licensed in the Commonwealth and the requirements following licensure. These recent regulation filings are in addition to the ten (10) regulations previously filed by the Program on January 4, 2024, regarding cannabis businesses, including cultivators, processors, producers, dispensaries, and safety compliance facilities.

#### **b. Legislative and Regulatory Update**

Mr. Flynn discussed the House Bill (“HB”) 6 provision. HB 6 is the budget bill that includes funding for the KMCP if the Board of Physicians and Advisors (“Board”) finds there is a propensity of peer reviewed published research with sufficient evidence as to the efficacy of medical cannabis for the persistent reduction of symptoms of diseases and conditions. KMCP presented the Board with relevant findings required by HB 6. The Board then made a motion regarding the finding, the motion was carried unanimously, and the finding was made by the Board of Physicians and Advisors on April 15, 2024.

Mr. Flynn discussed various bills filed during the current legislative session that affected medical cannabis in Kentucky. In particular, Senate Bill (“SB”) 337, which did not pass, would have modified provisions for SB 47. For example, SB 337 would have expanded the list of qualifying conditions for the Program.

Mr. Flynn then discussed HB 829, which passed on April 15, 2024, and further modifies SB 47 in several ways. HB 829 establishes an Office of Medical Cannabis and creates powers and authorities to administer the program. HB 829 also moves up the licensing of cannabis businesses to July 1, 2024, places restrictions and notice requirements on local government opt-outs, removes provisional receipts, adds a pharmacist representative to the Board of Physicians and Advisors, and requires the Board to assist the

Program with preparing an educational pamphlet for cardholders to be distributed by dispensaries.

Mr. Flynn discussed the timeline of SB 47 implementation for businesses. Business licensing applications will open on July 1, 2024, and close on August 31, 2024. Mr. Flynn clarified that businesses may become operational and begin cannabis business activities once approved, but dispensaries cannot sell medical cannabis until January 1, 2025.

Mr. Flynn then discussed the initial license availability and the lottery process. Applicants may only apply for licenses in a single cannabis category, as a limited number of initial licenses will be issued in each business license category. A lottery process will only occur if the number of applications exceeds the number of licenses available.

**c. Other Business**

Mr. Flynn discussed resources provided on the KMCP website. For example, summary documents for license types, the Kentucky Medical Cannabis Industry to Worker Safety and Health for employers and employees in Kentucky, and a business licensing application guide that provides details for the application process and the required information and documentation needed.

**IV. COMMENTS AND ANNOUNCEMENTS**

Mr. Flynn took questions and comments from the Workgroup members.

Ms. Cantwell asked what kind of physician is able to write prescriptions. Mr. Flynn responded that under SB 47 physicians or APRN's who are authorized by their licensing boards can write cannabis prescriptions. Mr. Flynn also stated that the Kentucky Board of Medical Licensure and the Kentucky Board of Nursing will send a list of approved physicians and advanced practice registered nurses to the Program.

Dr. Hatton asked if patients will be required to submit past records of qualifying conditions and if those records are needed during their initial visit. They also asked if a guide would be available for patients that includes required documents. Mr. Flynn stated that there is a "Qualified Patient and Designated Caregiver" guide on the website that contains signature forms and encourages patients to have materials with them when they go to apply.

Ms. Cantwell asked if there were any resources available for health practitioners who are interested in becoming certified. Mr. Flynn stated that each licensing board provides information on how to become certified. Mr. Flynn recommended that they go to the medical licensure board that pertains to them and to contact the KBML and the Kentucky Board of Nursing ("KBN") if they have additional questions.

Ms. Cantwell asked if there would be a limit on the number of authorized health practitioners. Mr. Flynn responded that there is no limit on the number of health professionals that want to become authorized, if they meet the requirements.

Mr. Ridley asked why certain licenses were removed from the first round of licensing. Mr. Flynn stated that the decision was made to ensure a sustainable and stable marketplace and allow room for growth.

Ms. Cantwell member asked if there would be opportunity for more licenses in the future. Mr. Flynn responded that there will be more opportunity and that we will continually assess needs.

#### **V. ADJOURNMENT**

There being no further business, Mr. Link moved to adjourn the meeting. Mr. Ridley seconded, and the motion carried 8-0 (approximately 4:05 PM).

A handwritten signature in black ink, appearing to read 'S. Flynn', is written over a horizontal line. The signature is stylized and extends to the right of the line.

Sam Flynn  
Executive Director  
Kentucky Medical Cannabis Program