

CABINET FOR HEALTH AND FAMILY SERVICES
KENTUCKY MEDICAL CANNABIS PROGRAM
BOARD OF PHYSICIANS AND ADVISORS

MINUTES OF THE JANUARY 17, 2024 REGULAR MEETING

- I. The regular meeting of the Board of Physicians and Advisors was called to order by Sam Flynn, Executive Director of the Kentucky Medical Cannabis Program, on January 17, 2024 at approximately 3:38 PM. The members met virtually via Zoom.

Board Member Present:

Fredrick Stine, D.O.
Anthony Carney, APRN
Jodi Wojcik, APRN
Ryan Grell, M.D.
Linda McClain, M.D.
Kristin Dawson, M.D.
Courtney Turner, M.D.
AnYu Chen, M.D.

Board Members not Present:

Charles Roberts, M.D.

Additional Attendees:

Sam Flynn, Executive Director of the Kentucky Medical Cannabis Program
Shelby Lewis, Executive Policy Advisor to the Kentucky Medical Cannabis Program
Alyssa Erickson, Director of Education and Outreach, Kentucky Medical Cannabis Program
Chafic George, Director of Enforcement and Compliance, Kentucky Medical Cannabis Program
Nick Therrell, Director of Licensure and Access, Kentucky Medical Cannabis Program
Members of the Public

II. **OLD BUSINESS**

The Board voted on the approval of the October 4, 2023 regular meeting minutes. Chair Stine made a motion to approve the minutes, and Ms. Wojcik seconded. The motioned carried 8-0.

The Board voted on the approval of the December 19, 2023 special meeting minutes. Chair Stine made a motion to approve the minutes, and Ms. Wojcik seconded. The motion carried 8-0.

III. NEW BUSINESS

Mr. Flynn provided an update on the progress of the KMCP including recent announcements made during Governor Beshear's Team Kentucky Update on January 4, 2024. This included ten new regulations filed by the cabinet regarding cannabis businesses, including cultivators, processors, producers, dispensaries, and safety compliance facilities. The new regulations also provide how medical cannabis products will be packaged, labeled, transported, advertised, and tested. Mr. Flynn also discussed IT technology implementation, a cannabis business zoning tool, hiring additions, and the newly recommended qualifying conditions. All regulations must be filed, and appropriate IT systems implemented, by July 1, 2024.

a. Information Regarding Protocols for Determining Supply Limits

Mr. Flynn summarized the Board's responsibility, as specified in KRS 218B.020, of the Board to review and recommend to the cabinet protocols for determining supply limits.

b. Presentation on Supply Limits, Shelby Lewis, Executive Policy Advisor and Discussion

Ms. Lewis provided a presentation on potential protocols for establishing patient supply limits. This included information on the unit of measurement for supply limits, which are product weight or product equivalency units. Product weight supply limits are based on the weight of raw plant material (typically in grams), concentrates (typically in grams), and/or tetrahydrocannabinol ("THC") concentration (typically in milligrams). Product equivalency units are conversion factors based on raw plant material weight and potency and can be defined as a medicinal marijuana unit.

c. Following the presentation, Mr. Flynn answered various questions and concerns from the Board.

Dr. Chen asked if products would have a purity or concentration list. Mr. Flynn directed the Board to review the newly filed packaging and labeling of medicinal cannabis regulation, which covers this.

Dr. McClain asked if a patient is able to purchase a combination of products and how topicals would be treated regarding supply limits, as topicals do not have the same effect as ingested products. Mr. Flynn said that patients would be able to purchase a

combination of products and that topicals being included in the total supply limit has not been set out in regulation.

Dr. Stine asked who will decide what types of medical cannabis products a patient should purchase, and what happens if a dispensary does not have a certain product. Mr. Flynn stated that Senate Bill (“SB”) 47 is focused around patient choice, and that patients will be choosing the best method of administering medical cannabis with their physician. Mr. Flynn also went into detail about the Program’s commitment to patient access and ensuring that all Kentuckians suffering from one or more of the qualifying medical conditions has accessible and affordable access to medical cannabis. The Program is also working to ensure dispensaries are geographically dispersed across the state.

Dr. Stine asked if medical cannabis prescriptions would be tracked the same way that controlled substances are tracked through the Kentucky All Schedule Prescription Electron Reporting (“KASPER”) system. Mr. Flynn stated that medical cannabis products will be tracked and traced through a different system. Dr. Grell then outlined how to recommend providers with a KASPER prescription.

Dr. Stine asked what happens if a patient tries a type of medical cannabis product and needs to return it as they do not like it. Mr. Flynn stated that this is covered in the dispensary regulation filed by the cabinet.

Dr. Stine asked if insurance would cover medical cannabis patients. Mr. Flynn stated that SB 47 expressly prohibits any governmental assistance programs as well as workers’ compensation from covering medical cannabis.

Dr. Dawson requested more information on why Missouri chose to use the product equivalency method.

Additional questions were asked regarding practitioners increasing medical cannabis supply limits for specific patients, how practitioners can guide patients on what types of products to purchase, research regarding supply limits and weight-based measurements, the electronic monitoring system for patients and medical cannabis products, pharmacies operating as dispensaries, the pricing of medical cannabis products, and if other states have any insurance options for medical cannabis patients.

IV. OTHER BUSINESS

The Board planned out the rest of 2024’s quarterly meetings, which are as follows:

April 17, 2024

July 17, 2024

October 16, 2024

V. COMMENTS AND ANNOUNCEMENTS

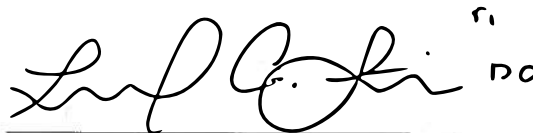
None.

VI. ADJOURNMENT

There being no further business, Dr. Stine moved to adjourn the meeting. Dr. McClain seconded, and the motion carried 8-0 (approximately 4:30 PM).



Sam Flynn
Executive Director
Kentucky Medical Cannabis Program



Dr. Fredrick Stine
Board Chair