



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES

Eric Friedlander
CHAIRMAN

TEAM KENTUCKY MEDICAL CANNABIS WORKGROUP

275 East Main Street, 5-CA
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December 21, 2023

Via Electronic Mail

Hon. Robert Stivers
President
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Frankfort, KY 40601
Robert.Stivers@lrc.ky.gov

Hon. Gerald Neal
Minority Floor Leader
Kentucky Senate
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Hon. David Osborne
House Speaker
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Hon. Derrick Graham
Minority Floor Leader
Kentucky House of Representatives
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Re: Recommendation - Qualifying Conditions for Medical Cannabis

Dear Legislative Leadership:

I write to you on behalf of the Team Kentucky Medical Cannabis Workgroup (“the Workgroup”), to recommend the General Assembly pass legislation in the 2024 Regular Session to provide Kentuckians with the serious medical conditions listed in Executive Order 2022-798, access to medical cannabis beginning in 2025. Those conditions include:

- ALS
- Parkinson’s
- Crohn’s Disease
- Sickle Cell Anemia
- Muscular Dystrophy
- Huntington’s Disease
- HIV
- Hepatitis C
- Cachexia or Wasting Syndrome
- Neuropathies
- Severe arthritis
- Fibromyalgia
- AIDS
- Glaucoma
- Terminal illness

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By amending KRS 218B.010 to include these conditions, the General Assembly will provide relief and certainty for the 430,000 Kentuckians suffering from these conditions.

As you know, the Workgroup was created by Executive Order 2023-600. The purpose of the Workgroup is to study medical cannabis policy and make recommendations to state agencies and the General Assembly. The Workgroup is comprised of 12 individuals with experience in the areas of healthcare, workforce, law enforcement, agriculture, and local government.

Since the creation of the Workgroup, we have received numerous requests to expand the list of qualifying conditions provided in 2023 R.S. Senate Bill 47. These requests include letters and emails from patients with conditions like those listed above, including Parkinson's, Muscular Dystrophy, and ALS. These requests also come from patient advocacy organizations like KYNORML and Mom's for Medical Cannabis. At present, SB 47 does not authorize the Cabinet to add qualifying conditions to the list provided in SB 47.

On November 28, 2023, the Workgroup's Healthcare Subcommittee met and heard these requests. Staff from the Kentucky Medical Cannabis Program provided a presentation, which included statistics from the Kentucky Health Information Exchange as well as a comparison from other states. The Subcommittee voted that the full Workgroup consider recommending that the legislature expand the conditions to include all those listed in Executive Order 2022-798.

On December 5, 2023, the Workgroup met to discuss whether to recommend to the General Assembly expansion of the serious medical conditions in KRS 218B.010(26), to include all those serious medical conditions included Executive Order 2022-798. After hearing a presentation on the issue, the Workgroup voted unanimously to recommend the General Assembly include – via legislation in the 2024 session –the conditions listed in EO 2022-798.

If the law is not amended, Kentuckians suffering with conditions like sickle cell anemia, will not be able to receive a written certification from a physician, apply to become a medical cannabis cardholder, or lawfully purchase medical cannabis to treat their condition in 2025.

For that reason, the Workgroup recommends the General Assembly amend KRS Chapter 218B to include all those conditions provided in Executive Order 2022-798.

Respectfully,



Eric Friedlander
Secretary, Cabinet for Health and Family Services
Chair, Team Kentucky Medical Cannabis Workgroup

On behalf of:

Colonel Phillip Burnett, Jr., Kentucky State Police
Secretary Jamie Link, Education and Labor Cabinet
Secretary Jeff Noel, Cabinet for Economic Development

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Marni Gibson, Department for Financial Institutions

Thomas Miller, Department of Revenue

Ashton McKenzie, Commonwealth Attorney – 21st Circuit

Michael Mueller, Franklin County Judge Executive

Dr. Jonathan Hatton, physician representative

Julie Cantwell, healthcare advocate representative

Ashley Smith, representative of agribusiness

Dorsey Ridley, representative of agribusiness

Cc: Hon. Stephen West
Senator – Sponsor 2023 R.S. SB 47

Hon. Jay Hartz
Director
Legislative Research Commission