

1 AN ACT relating to medicinal cannabis.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 218A IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "cannabis" has the same meaning as marijuana as
6 defined in KRS 218A.010.

7 (2) The Kentucky Center for Cannabis established in KRS 164.983, or its successor,
8 shall develop criteria for determining when sufficient scientific data and evidence
9 exists to demonstrate or indicate:

10 (a) That the use of cannabis is likely to have a medicinal, therapeutic, or
11 palliative effect for patients with a specified medical diagnosis;

12 (b) The appropriate dosage guidelines for the use of cannabis for medicinal,
13 therapeutic, or palliative effect by patients with a specific medical diagnosis;

14 (c) The appropriate method of consumption or use of cannabis for medicinal,
15 therapeutic, or palliative effect by patients with a specific medical diagnosis;
16 and

17 (d) That the use of cannabis for medicinal, therapeutic, or palliative effect by
18 patients with a specific medical condition is unlikely to cause serious
19 negative side effects.

20 (3) If the Kentucky Center for Cannabis research determines, based on the criteria
21 established pursuant to subsection (2) of this section, that sufficient scientific
22 data and evidence does exist to:

23 (a) Demonstrate that patients with a specific medical condition are likely to
24 receive medicinal, therapeutic, or palliative benefits from the use of
25 cannabis;

26 (b) Establish appropriate dosage guidelines for the use of cannabis for
27 medicinal, therapeutic, or palliative effect by a patient diagnosed with that

1 specific medical condition; and

2 (c) Determine the most appropriate method of consumption or use of cannabis
3 for medicinal, therapeutic, or palliative effect by a patient diagnosed with
4 that specific medical condition;

5 Then the center may produce and dispense medicinal cannabis products to
6 patients diagnosed with that specific medical condition in accordance with the
7 dosage and consumption or use guidelines developed by the center, except the
8 center shall not produce or distribute any cannabis product intended for
9 consumption by combustion or smoking.

10 (4) If the Kentucky Center for Cannabis elects to produce and dispense cannabis
11 products for one or more diagnosable conditions pursuant to subsection (3) of
12 this section, the center:

13 (a) Shall notify the Cabinet for Health and Family Services and the Kentucky
14 Board of Medical Licensure of those medical conditions that may qualify a
15 patient for access to medicinal cannabis through the center;

16 (b) Shall accept patient referrals from a licensed health care provider in
17 Kentucky for patients diagnosed with the specific medical condition that the
18 center has elected to produce and dispense cannabis products; and

19 (c) May establish and operate cannabis product dispensing centers to ensure
20 that citizens of the Commonwealth in diverse geographic areas have
21 equitable access to cannabis products produced and dispensed by the center.

22 (5) Any cannabis dispensed pursuant to subsection (3) of this section shall be
23 accompanied by printed information regarding:

24 (a) Appropriate dosage and consumption;

25 (b) Possible negative side effects associated with the use of cannabis for
26 medicinal, therapeutic, or palliative effect; and

27 (c) Any known possible interactions with other medications the patient might

1 be taking.

2 (6) If the Kentucky Center for Cannabis elects to establish and operate cannabis
3 product dispensing centers as permitted under subsection (4) of this section, the
4 center shall undertake all reasonable efforts necessary to ensure that those
5 centers are located in areas that ensure that residents in urban, suburban, and
6 rural areas have equitable access to the dispensing centers.

7 (7) Notwithstanding any other provision of law to the contrary, an individual who
8 possesses cannabis distributed by the Kentucky Center for Cannabis in
9 accordance with this section shall not be subject to prosecution under:

10 (a) KRS 218A.1421;

11 (b) KRS 218A.1422; or

12 (c) KRS 218A.1423.