

1 AN ACT relating to the medical use of marijuana.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 311 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section, "cannabis" means all parts of the plant Cannabis sp,*  
6 *whether growing or not, there viable seeds thereof, the resin extracted from any*  
7 *part of the plant, and every compound, manufacture, salt, derivative, mixture, or*  
8 *preparation of the plant, its viable seeds or resin or any compound, mixture, or*  
9 *preparation which contains any quantity of these substances. The term*  
10 *"cannabis" does not include:*

11 *(a) Industrial hemp as defined in KRS 260.850;*

12 *(b) The substance cannabidiol, when transferred, dispensed, or administered*  
13 *pursuant to the written order of a physician practicing at a hospital or*  
14 *associated clinic affiliated with a Kentucky public research university*  
15 *having a college or school of medicine; or*

16 *(c) A drug or substance approved by the United States Food and Drug*  
17 *Administration for use by persons participating in a clinical trial or*  
18 *expanded access program when used by those participants.*

19 *(2) Any physician licensed by the board to engage in the practice of medicine or*  
20 *osteopathy may recommend cannabis or cannabis products to any patient*  
21 *eighteen (18) years of age or older who, in the professional opinion of the*  
22 *physician, would benefit from such a course of treatment.*

23 *(3) Any physician licensed by the board to engage in the practice of medicine or*  
24 *osteopathy may recommend cannabis or cannabis products to any patient under*  
25 *the age of eighteen (18) if the patient's parent or guardian consents to the*  
26 *treatment and a second physician licensed by the board recommends the same*  
27 *course of treatment.*

1 (4) A physician acting in good faith pursuant to subsection (2) or (3) of this section  
2 shall not be criminally or civilly liable for recommending cannabis or cannabis  
3 products to patients. The board shall not prohibit physicians acting in good faith  
4 from recommending cannabis or cannabis products through administrative  
5 regulation, procedure, rule, or hearing.