



Kentucky - State Specific Information

Information provided is current as of August 15, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

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| Medical Use | 2023 - (Kentucky Medical Cannabis Act) |
| Recreational Use | Not legal |
| Possession/Personal Use Specifics | medical cannabis is legal under the Kentucky Medical Cannabis Act, allows patients with qualifying conditions to use and purchase cannabis from licensed dispensaries, but recreational cannabis remains illegal. CBD products derived from hemp with less than 0.3% THC are legal. |
| Home cultivation and public consumption is illegal in Kentucky for anyone, even medical cannabis patients. | |

State Regulatory Agency Information

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| State Regulatory Agency | Kentucky Office of Medical Cannabis |
| State Forms (If Applicable) | None Specified |

State Testing Policy

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| General Information | <p>Employers can implement drug testing policies for pre-employment, random, reasonable suspicion, and post-accident situations, and should have a written policy detailing procedures and consequences, while medical cannabis use does not require workplace accommodation and positive tests can result in disciplinary actions.</p> <p>*Remember, establishing robust documentation is a key risk mitigant for employers in states like the Kentucky.</p> |
| Safety Sensitive Positions | Safety-sensitive positions for drug testing are typically those where impairment could directly affect the safety and well-being of others and could pose significant risks to the safety of the individual, coworkers, or the public. |
| Privacy Laws | Employers must obtain written consent from employees before conducting drug tests, and test results must be kept confidential, shared only with individuals involved in employment decisions or human resources. |