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Laura Howard, Secretary

Laura Kelly, Governor

November 6, 2019

Substance Abuse and Mental Health Services Administration (SAMHSA)
U.S. Department of Health & Human Services

To Whom It May Concern:

Re: Substance Abuse Prevention and Treatment Block Grant
Community Mental Health Services Block Grant

I certify that the Kansas Department for Aging and Disability Services (KDADS) and all sub-recipients (contractor & sub-awardees) for the Substance Abuse Prevention and Treatment Block Grant and the Community Mental Health Services Block Grant will comply with the following special condition of award:

Grant funds may not be used, directly or indirectly, to purchase, prescribe, or provide marijuana or treatment using marijuana. Treatment in this context includes the treatment of opioid use disorder. Grant funds also cannot be provided to any individual who or organization that provides or permits marijuana use for the purposes of treating substance use or mental disorders. See, e.g., 45 C.F.R. § 75.300(a) (requiring HHS to "ensure that Federal funding is expended . . . in full accordance with U.S. statutory . . . requirements."); 21 U.S.C. §§ 812(c)(10) and 841 (prohibiting the possession, manufacture, sale, purchase or distribution of marijuana). This prohibition does not apply to those providing such treatment in the context of clinical research permitted by the DEA and under an FDA-approved investigational new drug application where the article being evaluated is marijuana or a constituent thereof that is otherwise a banned controlled substance under federal law.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Brown".

Andrew Brown
Commissioner
Behavioral Health Services