

JAY T. KIMURA
PROSECUTING ATTORNEY

CHARLENE Y. IBOSHI
FIRST DEPUTY
PROSECUTING ATTORNEY



LATE TESTIMONY

655 Kilauea Avenue
HILO, HAWAII 967
PH: 961-040
FAX: 961-890
934-340
934-350

WEST HAWAII UNIT
51-960 HALEKII ST, SUITE 100
KEALAKEKUA, HAWAII 96750
PH: 322-250
FAX: 322-650

OFFICE OF THE PROSECUTING ATTORNEY

Testimony in Opposition to HB2675, HD1
Relating to Medical Marijuana

Submitted by Jay T. Kimura, Prosecuting Attorney

I apologize for this late testimony.

Increasing the number of plants and the amount of processed marijuana that can be possessed is a dangerous trend and I speak in opposition.

The Comprehensive Strategy for Juvenile Justice on the Big Island has identified the availability of drugs as a significant risk factor for our youth. I am informed that a child as young as 9 was growing and then using marijuana in a home where both parents were marijuana users. Marijuana continues to be a drug abused by young people on this island. Illegal drugs and alcohol continue to exacerbate behavioral and mental challenges faced by our young people and community. This proposed bill, while intending to help adults get their marijuana supply, will potentially increase the amount of a schedule 1 drug on the Big Island.

The current law is manageable according to the Department of Public Safety. I believe that increasing the amount of marijuana that can be possessed under this law will increase the oversight responsibilities for State and Local authorities. Local law enforcement is tasked with enforcing the current State laws on illegal drug use along with navigating through the State's medical marijuana laws and procedures.

The term "medical" marijuana is touted as an equivalent to a medicine to many suffering a debilitating condition. Clearly the AMA and HMA position on this bill do not support the use of smoked marijuana as a medicine.

The exclusion of law enforcement, Federal authorities, County officials, and community members from the proposed task force is a mistake and presumes an outcome. I believe a lack of State funding also limits a full and fair discussion. The idea that the State will potentially be involved in the production of a schedule 1 drug, illegal under Federal law, is interesting because there are many other areas of need in the State.

HB2675, HD1
PSM
(HSCR 469-08)

RELATING TO MEDICAL MARIJUANA

HLT,

PENDING RE-REFERRAL
Status

Increases the number of marijuana plants allowed for medical use by a patient with written certification to 14 plants. Creates the medical marijuana task force to discuss the value of constructing secure growing facilities for medical marijuana and study inter-island transport issues related to medical marijuana. (HB2675 HD1)

PSMtestimony@capitol.hawaii.gov

Dr. Myron Berney, ND LAc
908 16th Ave
Honolulu, HI 96816

808-735-5133

I fully Support the Bill as written.

However, I would like to add that as a Cancer Patient, I was unable to obtain a prescription for Medical Marijuana from any member of my oncology group at Queens' or from any member of my HIPAA health care team.

It appears that MD physicians in Hawaii are still fearful of prescribing Medical Marijuana. They state that they don't want to loose their license.

HRS provides for prescribing Medical Marijuana without risk but Federal Laws may not be in Harmony with the State of Hawaii's position.

I would suggest that the State of Hawaii should also look at the issue of State's Rights and the Constitutional Right of Privacy in respect to Federal regulation of interstate commerce.

In addition Medical Marijuana is a herb, a natural medicine, and those persons licensed to prescribe herbs and natural medicines, Naturopathic Physicians, should also be permitted to prescribe Medical Marijuana since Naturopathic Physicians are the experts in herbal and natural medical care of all diseases and conditions including debilitating conditions such as Cancer, nausea, back pain, chronic pain and others.

Thank you for you attention and assistance in these matters.

Respectfully,

Dr. Myron Berney, ND LAc

LATE TESTIMONY