

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

LATE

HOUSE COMMITTEE ON FINANCE
HB0668, HD1, RELATING TO HEALTH

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health
February 22, 2013

1 **Department's Position: COMMENTS**

2 **Fiscal Implications:** Approximately \$100, 000 in FY2013-14 and \$200,000 in FY2014-15 is estimated
3 to transition and implement the program. Sufficient funds will have to be appropriated or accumulated
4 to a new Department medical marijuana special fund, so the program can be fully self-sufficient
5 commencing July 1, 2015. Any appropriation must not adversely impact the priorities described in the
6 Governor's Executive budget request.

7 **Purpose and Justification:** The purpose of the bill is to move administration of the Medical Marijuana
8 Program from the Public Safety Department to the Department of Health (DOH). The Department
9 appreciates the opportunity to administer Hawaii's Medical Marijuana Program with a primary focus on
10 patients, if sufficient transition time and resources are provided. In order to successfully transition the
11 program and maintain required services, the Department of Health has identified the following program
12 requirements:

- 13 • A start date of July 1, 2015 for the DOH Medical Marijuana Registry Program
- 14 • General funding of \$100,000 for FY13-14 for a contractor to promulgate new DOH medical
- 15 marijuana administrative rules, pursuant to Chapter 91, HRS

Promoting Lifelong Health & Wellness

HB0688,HD1

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- 1 • General funding of \$200,000 for FY14-15 to hire and train new staff, set up the program office,
2 establish a database, develop accessible web interfaces and other IT infrastructure, complete
3 security and confidentiality protocols, and prepare the program for 12,000 patients annually
- 4 • Establish a DOH Medical Marijuana Special Fund by January 1, 2015 to receive payments of
5 registration fees and pay program staff salaries and other costs
- 6 • The DOH Medical Marijuana Special Fund needs to have \$185,000 in funds from some source
7 by July 1, 2015 to pay salaries and other program costs
- 8 • Approval to establish 5 FTE DOH positions for the Medical Marijuana Program starting
9 July 1, 2014
- 10 • Raise the maximum allowable registration fee from \$35 to \$50 annually commencing
11 July 1, 2015. We do not anticipate the new charge will be more than \$35, but the law needs to
12 allow for increases over the program's operational lifespan to ensure sufficient income for a self-
13 supporting program. The fees have not been raised since the program began.

14 The Department of Health ustrongly emphasizes that sufficient time and resources to implement and
15 sustain the program are required. Thank you for the opportunity to testify on this measure.

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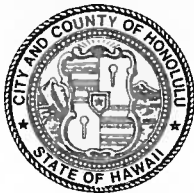
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POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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LATE

KIRK W. CALDWELL
MAYOR



LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE **JI-TA**

February 22, 2013

The Honorable Sylvia Luke, Chair
and Members
Committee on Finance
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke and Members:

Subject: House Bill No. 668, H.D. 1, Relating to Health

I am Jerry Inouye, Major of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes House Bill No. 668, H.D. 1, Relating to Health.

This bill seeks to have the administration of Hawaii's medical marijuana law transferred from the Department of Public Safety to the Department of Health.

Although medical marijuana is currently legal for use by the seriously ill, a review by the Institute of Medicine concluded that smoking marijuana is not recommended for long-term medical use. Research has also shown that marijuana has a high potential for abuse and addiction and remains classified as a Schedule I controlled substance under the Controlled Substances Act of 1970.

Therefore, in the interest of the health and safety of the general public, the Honolulu Police Department opposes any measure to change the administration of the medical use of marijuana law.

The Honolulu Police Department urges you to oppose House Bill No. 668, H.D. 1, Relating to Health.

Thank you for the opportunity to testify.

APPROVED:


LOUIS M. KEALOHA
Chief of Police

Sincerely,


JERRY INOUE, Major
Narcotics/Vice Division

LATE

Dr. Myron Berney

Note: Please add to testimony already submitted.

HB668 HD1

Measure
Title: RELATING TO HEALTH.

Report Title: Medical Marijuana Program; Transfer of Responsibilities

Description: Transfers the medical use of marijuana program, from the Department of Public Safety to the Department of Health by June 30, 2014. Requires report, with transfer plan and timeline, to the legislature prior to the 2014 regular session. Effective July 1, 2013.
(HB668 HD1)

I may have misunderstood the testimony by DPS. I understood that they collected \$25 for each blue card issued per year and have \$275,000 left over in this account which has been paying for the various expenses in managing Part IX of HRS 329.

The Department of Health has pointed out a new “Murphy's Law” concerning Government Bureaucratic Bloat. Given the opportunity Government will swell up to consume all available funds and then need more.

Blame it all on Law Enforcement invasion into Health Care.

Medical Science and Scientific Studies do not find that Marijuana is a Dangerous Drug.

Marinol, a more lethal and less effective drug, is Schedule III while the more effective and non-toxic parent Herbal Medicine is Schedule I.

The only reason why Marijuana is Illegal is for the Police to maintain the power and funding they lost when they lost Alcohol Prohibition.

There is no scientific or medical basis to say that Marijuana is Schedule I and the concentrated active ingredient is Schedule III.

The major untoward effect comes from smoking. Although smoking Marijuana prevents Lung Cancer in Tobacco smokers, any smoke has untoward effects on the mouth, throat and lungs. The White House points out that the Pharmaceutical companies have developed safe and effective drug delivery systems by simply spraying the medicine into the mouth instead of smoking. Other drug delivery systems for local pain management include applying a solution to the painful joint or herpes shingle nerve rash. Marijuana treats dementia and saves dying nerve cells. Marijuana heals post-traumatic and post-surgical nerve injury. Marijuana treats stress, anxiety and PTSD without causing suicide or murder.

Once again the untoward side effects come from Government not permitting the free market Pharmaceutical Companies from introducing more effective and safer drug delivery systems.

Furthermore, VA policy established January 31, 2011 recognizes the medical use of marijuana in various State Medical Marijuana Programs. VA providers can not prescribe or recommend patients for State Medical Marijuana Programs but recognizes the medical use of Marijuana in the various States.

Since the VA policy is to recognize the medical use of marijuana in the various States in the United States, marijuana, having a medical use in the United States acknowledged by the Federal Government means simply that Marijuana does not fit into the Federal definition of Schedule I.

The medical use of Marijuana is entered into the “non-VA medication section” of the patient's electronic medical record following established medical facility procedures for recording non-VA medication use.

1 the VA recognizes the medical use of Marijuana since January 31, 2011

2 the Federal Department of Health has been issuing permits for both the sale and growing of Medical Marijuana in Washington, D.C.

3 Obama has curtailed the enforcement of the Marijuana Laws in Colorado and Washington State.

4 The State has lost \$69.25 million dollars by not collecting the GET on retail sales at the low rate of merely one ounce per month, the weight of one pack of cigarettes, to underground sales of marijuana.

5 the State can not afford to not capture the revenue stream by Legalizing Marijuana which will also dry up the Black Market sales, reduce crime, stimulate the economy and improve health care delivery.

Only Law Enforcement testified against the Legalization of Marijuana which would immediately reduce



crime, eliminate black market sales and bring needed revenue to the State.