

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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LATE TESTIMONY

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THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR
SENATE COMMITTEE ON JUDICIARY AND LABOR
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai`i

February 22, 2017

RE: S.B. 174, S.D. 1; RELATING TO MEDICAL MARIJUANA.

Chair Keith-Agaran, Vice-Chair Rhoads and members of the Senate Committee on Judiciary and Labor, the Department of the Prosecuting Attorney of the City & County of Honolulu (“Department”) submits the following testimony in opposition to S.B. 174, S.D. 1.

If passed, S.B. 174, S.D. 1 would expand the definition of a “debilitating medical condition” to include “lupus, epilepsy, multiple sclerosis, arthritis, [and] autism” among the enumerated qualifying conditions.

The Department is very concerned that the proposed amendments would open the door to individuals who would abuse the medical marijuana system, such as physicians whose sole or primary practice is issuing medical marijuana certifications, regardless of whether the patient truly has a truly debilitating medical condition that warrants use of this highly controversial drug. Indeed, under Hawaii’s laws, an issuing physician need not have any specialized knowledge or expertise in the patient’s qualifying condition, nor are there any requirements for face-to-face visits, physical examinations, or ongoing treatment by the issuing physician.

Rather than opening the floodgates to make medical marijuana available to anyone diagnosed with arthritis or similarly common conditions, the Department maintains that any expansion of the medical marijuana qualifiers must be done in a very careful and measured way. To this end, we note that the Department of Health (“DOH”) is currently preparing to hold annual petition hearings— as permitted by statute—to consider additional conditions, not already listed as a “debilitating medical condition,” on a case-by-case basis.

As always, the Department’s primary concern is for public safety and welfare. Given the huge potential for the amendments proposed in S.B. 174, S.D. 1 to facilitate abuse and/or outright illicit activity, using our medical marijuana laws, the Department is strongly opposed to this proposition. For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes S.B. 174, S.D. 1. Thank you for the opportunity to testify on this matter.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for SB174 on Feb 22, 2017 09:15AM
Date: Tuesday, February 21, 2017 3:54:06 PM

SB174

Submitted on: 2/21/2017

Testimony for JDL on Feb 22, 2017 09:15AM in Conference Room 016

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Bonnie Marsh | Individual | Support | No |

Comments: Please vote yes on SD1, the addition of other medically painful conditions to qualify for medical cards. Mahalo for your compassion.

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SB174

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|------------------|--------------|--------------------|--------------------|
| Brendon Friedman | Individual | Support | No |

Comments:

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SB174

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|--------------|--------------|--------------------|--------------------|
| Dave Kisor | Individual | Support | No |

Comments: Cannabis in any form has been persecuted by various industries because it competes with their largely artificial products, which they have proprietary control. That is why Monstersatano wants to gmo the cannabis plant, a weed that will grow anywhere, just so they can take ownership. That should be considered criminal, but unfortunately that behavior has been deemed acceptable.

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February 21, 2017

LATE TESTIMONY

On the following measure:
HB174, Relating to Medical Marijuana

Before the Senate Committees on Judiciary & Labor
Date: February 12, 2017 Time: 9:15 am

Honorable Chairs Keith-Agaran, Rhoades and Members of the Committee:

Testimony in strong SUPPORT of SB174

My Name is Kristin Wohlschlagel. I am a Registered Nurse and Certified Hospice and Palliative Nurse living and working on the Big Island for more than 12 years. I am providing testimony in SUPPORT of SB174.

In addition to my qualifications as a nurse, I have also been a Hawaii Medical Marijuana (Cannabis) Patient since June, 2016.

While we can wish that the scientific community in the United States were able to catch up with what the people of the U.S. have had to figure out largely on their own, Medical Marijuana (more accurately called Cannabis) has strong and safe medicinal use which is evidence-based due to the large body of research done mostly in other places in the world. Add to that the long history of widespread safe and effective prescribing of Medical Cannabis among medical doctors prior to prohibition and we can understand how these disease conditions & their symptoms are well treated by this medicine.

Lupus, like patients with many other autoimmune diseases, can have severe inflammatory and destructive effects on the body. I personally cared for more than two young women dying of lupus in Hawaii when I was working as an Emergency Department Nurse. I know that other treatment options are plagued with serious side effects, many of which are very serious (think corticosteroids like prednisone). Several of the active molecules in Medical Cannabis, THC-A & Delta-9 THC, CBD-A and Cannabidiol (CBD), among others, have been proven to interact with the cells in ways that down-regulate the over-response of the malfunctioning immune system. CBD is also proven, at least in valid, rigorous animal studies, to protect vital organs such as the kidneys and heart from damage from multiple causes. As the kidneys and heart are organs frequently damaged with autoimmune diseases, and especially Lupus, these protective actions of Medical Cannabis are some of the main reasons patients are using

it. There are other symptoms it eases as well but these should be reason enough for the healthcare and legal entities to allow patient use.

Multiple Sclerosis is a neurodegenerative disease which is also considered an autoimmune disorder. Again, the patient's own immune system attacks the body, especially nervous tissue, and results in devastating disability, suffering and early death. Even if Medical Cannabis were useful ONLY in providing significant relief of the spasticity which is common with this disorder, it would be hugely important to allow patients to access it. Add in the neuroprotective potential and you can see why patients who are "out of time" are choosing to use it.

Arthritis, whether from degenerative wear and tear or autoimmune causes (like in the case of Rheumatoid Arthritis), causes inflammation, pain and disability for many residents in Hawaii. As a nurse, I have seen many patients who have suffered serious side effects from other medicines used to treat the symptoms of arthritis. Many medicines commonly used, such as ibuprofen, diclofenac, methotrexate are prone to damage vital organs and patients then find their condition much worse off. The safety of Medical Cannabis is well-established and is one of the rare medicines available that down-regulate the over-response of inflammatory and autoimmune actions in the body without causing any detectable harm.

As a patient with degenerative arthritis in areas of my spine which has required two separate surgeries to decompress the spinal nerve root as well as stabilize the vertebrae to prevent further pain and nerve damage, I learned first-hand how effective and safe Medical Cannabis can be, over the past year. Once I shared several articles which reviewed the scientific studies currently available with my neurosurgeon he strongly supported my continued use of Medical Cannabis both before my last surgery in December, 2016 and while I am recuperating since then. My healthcare team and I were very surprised at how effective Medical cannabis was even right after my surgery. In fact, I only used opiate pain medications, such as fentanyl and hydrocodone (Vicodin) for the first week after my spinal decompression and fusion. I assure you that my neurosurgeon informed me that most of his patients usually need doses of Vicodin for the first 30 days after the same surgery. Because I adjust my THC doses carefully to avoid psychoactivity I have been mentally clear and functional. This is profoundly significant both for patient safety and effectiveness of pain relief.

Here is a link to one of the best peer-reviewed journal articles titled *Cannabinoids in Neurodegenerative Disorders and Stroke/Brain Trauma: From Pre-clinical Models to Clinical Applications*: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4604192/> One of

the team leaders, Dr. Javier Fernandez-Ruiz, has corresponded with me about his findings and has also offered to answer any other questions which may come up. Please let me know if you have questions and I will do my best to get his answers for you.

Autism can be a very devastating diagnosis for a child and, for some, the symptoms can be totally disabling and distressing for both the patient and the family. Many of the medications currently used to control the self-harming behaviours are very dangerous and plagued with serious adverse side effects. Multiple patients have demonstrated dramatic improvement when treated with Medical Cannabis. Physicians who have been involved in the care of these patients have provided clear and convincing testimony to me that Medical Cannabis is one of the safest and most effective medicines they have ever seen in these cases. Again, the scientific community will one day be allowed to research but, with all the Federal legal complications, that same scientific community is far behind what families and their doctors already know ~~ that it works.

Epilepsy is one cause of seizures and I hope you already are aware of the tremendous benefit that Medical Cannabis has brought to patients, not just to *stop* the seizures but to actually be neuroprotective and help prevent the developmental delays often seen in severe cases. Please be aware that THC-A, Delta-9 THC, CBD-A and CBD are the most common cannabinoids in Medical Cannabis which are used with great therapeutic benefit, not just the more famous CBD.

While I am very prepared to provide the Committee with additional scientific evidence supporting the use of Medical Cannabis in insomnia, depression, anxiety and stress, I am aware that those were already stripped from the bill by previous committees. I am sorry I was not aware of this bill or how to testify before that happened. But I am very thankful to have this opportunity now.

Again, I strongly SUPPORT SB174.

Thank you for this opportunity to provide testimony.

Sincerely,

Kristin L. Wohlschlagel, RN, CHPN
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| Avril Jenkins | Individual | Support | No |

Comments:

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SB174

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| Submitted By | Organization | Testifier Position | Present at Hearing |
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| Tulsi Greenlee | Individual | Support | No |

Comments:

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