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CITY AND COUNTY OF HONOLULU

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LATE

THE HONORABLE ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE,
CONSUMER PROTECTION, AND HEALTH
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawai'i

February 8, 2017

RE: S.B. 174; RELATING TO MEDICAL MARIJUANA.

Chair Baker, Vice-Chair Nishihara and members of the Senate Committee on Commerce, Consumer Protection, and Health, the Department of the Prosecuting Attorney of the City & County of Honolulu ("Department") submits the following testimony in opposition to S.B. 174.

If passed, S.B. 174 would expand the definition of a "debilitating medical condition" to include "lupus, epilepsy, multiple sclerosis, arthritis, autism, anxiety, depression, insomnia, [and] stress" among the enumerated qualifying conditions.

The Department is extremely 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, the proposed amendment may actually encourage such behavior, as some of the conditions proposed by S.B. 174 are so broad that they would make the term "debilitating medical condition" essentially meaningless, allowing medical marijuana to be certified for practically anyone.

Rather than opening the floodgates to make medical marijuana available to anyone diagnosed with "stress" 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. Particularly relevant, the Department of Health ("DOH") is authorized to allow medical marijuana certifications on a case-by-case basis, such that if someone's condition—not already listed as a "debilitating medical condition"—is of such nature that would warrant the use of medical marijuana, DOH would be in the best position—based on the physician's specific request—to determine whether it is appropriate for that individual.

While proponents of medical marijuana continue to tout marijuana's place as a legitimate medication, S.B. 174 would essentially take marijuana out of the realm of medicine, by leaving the public and physicians with no real limits on when medical marijuana can be certified for a particular patient. The Department continues to note that 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.

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 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. Thank you for the opportunity to testify on this matter.

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 8, 2017 7:12 AM
To: CPH Testimony
Cc: edgarespero@gmail.com
Subject: Submitted testimony for SB174 on Feb 8, 2017 09:00AM

LATE

SB174

Submitted on: 2/8/2017

Testimony for CPH on Feb 8, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Edgar Espero	Individual	Support	No

Comments: Studies show that medical marijuana have been effective in the treatment of conditions stated in SB174 and support passage of said bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 7:04 PM
To: CPH Testimony
Cc: crystalkpaul@yahoo.com
Subject: *Submitted testimony for SB174 on Feb 8, 2017 09:00AM*

LATE

SB174

Submitted on: 2/7/2017

Testimony for CPH on Feb 8, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Kia Paul	Individual	Support	No

Comments:

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baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 3:46 PM
To: CPH Testimony
Cc: georgina808@gmail.com
Subject: *Submitted testimony for SB174 on Feb 8, 2017 09:00AM*

LATE

SB174

Submitted on: 2/7/2017

Testimony for CPH on Feb 8, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Georgina Mckinley	Individual	Support	No

Comments:

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CPH Testimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 8, 2017 8:35 AM
To: CPH Testimony
Cc: rkailianu57@gmail.com
Subject: Submitted testimony for SB174 on Feb 8, 2017 09:00AM

SB174

Submitted on: 2/8/2017

Testimony for CPH on Feb 8, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments: Have had to much medication for depression and paranoia. Need to stop all the medications because of cost and constant headaches.

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