

Honolulu, Hawaii

APR 27

, 2018

RE: H.B. No. 2729  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2729, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CANNABIS FOR MEDICAL USE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the current statutes that regulate the State's medical cannabis and medical cannabis dispensary program to facilitate appropriate access to medical cannabis by patients with debilitating medical conditions and ensure patient safety. Specifically, this measure:

- (1) Establishes criteria, standards, limitations, and protections for qualifying out-of-state patients for whom the medical use of cannabis is authorized by the patient's home jurisdiction;



- (2) Authorizes the Department of Health to extend the maximum period of validity of a written certification to three years for qualifying patients with a chronic debilitating medical condition and to register two caregivers for minor qualifying patients; provided that both caregivers are parents, guardians, or legal custodians of the minor patient;
- (3) Clarifies a dispensary's right to retest a batch of cannabis or manufactured cannabis products that do not meet safety standards according to initial test results;
- (4) Prohibits employment discrimination and suspension or discharge from employment based solely on evidence of consumption of cannabis by an employee who is a registered qualifying patient;
- (5) Authorizes the formation of a bona fide provider-patient relationship for purposes of obtaining a written certification via telehealth;
- (6) Amends statutes regulating licensed dispensaries to authorize the dispensing of devices that provide safe pulmonary administration of medical cannabis and of edible cannabis products, increase the maximum dosage amount per unit of manufactured cannabis products, and clarify labeling requirements for manufactured cannabis products; and
- (7) Limits the felony convictions that disqualify an individual from employment with a licensed dispensary and permitting, but not requiring, denial of employment based on conviction of a limited number of additional offenses.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions relating to employment protections for registered qualifying patients;
- (2) Authorizing the registration of two caregivers for minor qualifying out-of-state patients;
- (3) Clarifying that a qualifying out-of-state patient shall not possess more than four ounces of usable cannabis at any given time and shall not possess live plants;



- (4) Deleting provisions authorizing licensed dispensaries to dispense edible cannabis products;
- (5) Clarifying requirements for devices that aerosolize cannabis and devices for safe pulmonary administration that may be dispensed by licensed dispensaries;
- (6) Establishing an Outstanding Issues Working Group to consider and make recommendations on issues related to the employment of registered qualifying patients and the manufacture and distribution by licensed dispensaries of edible cannabis products;
- (7) Changing its effective date to July 1, 2018; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2729, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2729, H.D. 2, S.D. 2, C.D. 1.

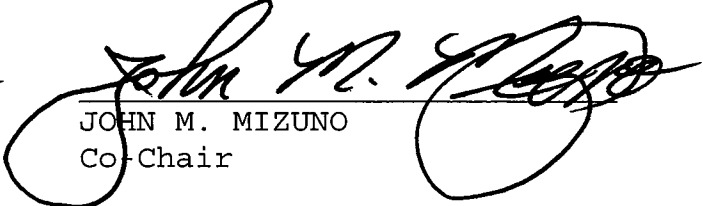
Respectfully submitted on behalf  
of the managers:

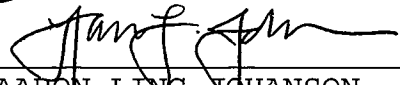
ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE

  
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ROSALYN H. BAKER  
Chair

  
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J. KALANI ENGLISH  
Co-Chair

  
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JOHN M. MIZUNO  
Co-Chair

  
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AARON LING JOHANSON  
Co-Chair

  
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Fr JOY A. SAN BUENAVENTURA  
Co-Chair



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BERTRAND KOBAYASHI  
Co-Chair



