STAND. COM. REP. NO.

Honolulu, Hawaii Rhway 9 , 2018

RE: H.B. No. 2729 H.D. 1

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

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 2729 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend regulatory statutes and operational requirements for the medical cannabis dispensary system by:

- Amending the reciprocity program, whereby qualifying patients from other jurisdictions may purchase limited quantities of cannabis for medical use, subject to certain safeguards, reporting and transparency requirements, and payment of a visiting patient certifying fee;
- (2) Extending the maximum period of validity of a qualifying patient's written certification of a debilitating medical condition;
- (3) Allowing the establishment of a bona fide physicianpatient or advanced practice registered nurse-patient relationship via telehealth;



STAND. COM. REP. NO. **266** -18 Page 2

- (4) Adding certain devices that provide safe pulmonary administration to the list of medical cannabis products that may be manufactured and distributed;
- (5) Increasing the tetrahydrocannabinol limit per multipack container of manufactured cannabis products or single container of oil;
- (6) Exempting from the background check requirement employees of a dispensary, subcontracted production center, or retail dispensing location without direct contact, access, or exposure to any cannabis or manufactured cannabis product; and
- (7) Limiting the Department of Health's mandate to disclose information to law enforcement for the purposes of verifying qualifying patient information and disclosure in response to a legally authorized subpoena.

Hawaii Educational Association for Licensed Therapeutic Healthcare, Maui Grown Therapies, Noa Botanicals, the Drug Policy Forum of Hawai'i, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Lau Ola, LLC., and two individuals testified in support of this measure. The Maui Police Department, Patients Without Time, Malie Cannabis Clinic, and several individuals testified in opposition. The Department of the Attorney General, Department of Health, The Queen's Health Systems, and one individual provided comments.

Your Committee has amended this measure by:

- Removing the exemption from background check requirements for employees of dispensaries, subcontracted production centers, and retail dispensing locations;
- (2) Removing limitations on the Department of Health's mandatory disclosure;
- (3) Inserting new language allowing the Department of Health to provide a dispensary the opportunity for retesting of a failed batch of medical cannabis; and



STAND. COM. REP. NO. 256 -18 Page 3

(4) Changing the effective date to July 1, 3000, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2729, H.D. 1, and be referred to your Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Health & Human Services,

Chair



State of Hawaii House of Representatives The Twenty-ninth Legislature



## Record of Votes of the Committee on Health & Human Services

Bill/Resolution No.: HB2729	Committee Referral: HHS, JUD, FIN			Date: 2 - 8 - 18		
The committee is reconsidering its previous decision on the measure.						
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold   □ Pass short form bill with HD to recommit for future public hearing (recommit)						
HHS Members		Ayes	Ayes (WR)		Nays	Excused
1. MIZUNO, John M. (C)						
2. KOBAYASHI, Bertrand (VC)		/				
3. BELATTI, Della Au						
4. LEARMONT, Lei R.	a shaaba taaba adaa	$\sim$				ona ang gang ang ang ang ang ang ang ang
	and the second secon					
5. TUPOLA, Andria P.L.						/
						· <u>-</u> , , , , , , , , , , , , , , , , , , ,
			· · · · · · · · · · · · · · · · · · ·			
<u> </u>						
TOTAL (5)		4				1
The recomme. <sup>1</sup> ation is: Adopted If joint referral, did not support recommendation.						
Vice Chair's or designee's sig. ature:						
<b>Distribution:</b> Original (White) – Con., nittee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						