

Honolulu, Hawaii

February 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:

- (1) 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 physician-patient or advanced practice registered nurse-patient relationship via telehealth;



- (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:

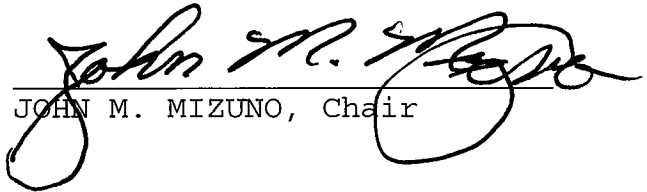
- (1) Removing the exemption from background check requirements for employees of dispensaries, subcontracted production centers, and retail dispensing locations;
- (2) Removing limitations on the Department of Health's mandatory disclosure;
- (3) Inserting new language allowing the Department of Health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



- (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,


JOHN M. MIZUNO, Chair



