

Honolulu, Hawaii

February 16, 2018

RE: H.B. No. 2729
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2729, H.D. 1, 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 Department of Health to provide a dispensary with the opportunity for retesting a failed batch of medical cannabis;



- (4) Allowing the establishment of a bona fide physician-patient or advanced practice registered nurse-patient relationship via telehealth;
- (5) Adding certain devices that provide safe pulmonary administration to the list of medical cannabis products that may be manufactured and distributed; and
- (6) Increasing the tetrahydrocannabinol limit per multipack container of manufactured cannabis products or single container of oil.

The Hawaii Educational Association for Licensed Therapeutic Healthcare, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Maui Grown Therapies, and a few individuals testified in support of this measure. The Department of the Attorney General, Department of Health, Queen's Health Systems, Drug Policy Forum of Hawaii, and a few individuals provided comments.

Your Committee has amended this measure by:

- (1) Deleting language allowing the establishment of a bona fide physician-patient or advanced practice registered nurse-patient relationship via telehealth;
- (2) Clarifying that the devices that provide safe pulmonary administration are distributed solely for use with disposable, pre-filled and tamper resistant sealed containers that do not contain nicotine or other tobacco related products and are used to deliver cannabis orally; and
- (3) Clarifying that dispensaries are not required to manufacture the devices that provide safe pulmonary administration.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2729, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2729, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



