

STAND. COM. REP. NO.

2541

Honolulu, Hawaii

MAR 01 2018

RE: S.B. No. 2407
S.D. 1

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

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2407 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to include opioid addiction, substance abuse, and withdrawal symptoms resulting from the treatment of these conditions to the existing definition of "debilitating medical condition" as used in the medical use of cannabis law.

Your Committee received testimony in support of this measure from the Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Drug Policy Forum of Hawaii, Hawaii Education Association for Licensed Therapeutic Healthcare, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Honolulu Police Department, Maui Police Department, Hawaii Substance Abuse Coalition, Ku Aloha Ola Mau, and five individuals. Your Committee received comments on this measure from The Queen's Health Systems.

Your Committee finds that opioid abuse is a serious public health concern. Your Committee further finds that the Centers for Disease Control and Prevention recommends that most cases of chronic pain be treated with non-opioid drugs.



Your Committee finds that cannabis is effective in treating chronic pain, both as a supplement to and as a replacement for opioid medication. Your Committee received testimony indicating that when patients are given access to cannabis, they reduce their opioid use by approximately fifty percent and that when opioids and cannabis are used together, they induce a greater reduction in pain than would result from simply adding the analgesic effects of both medications used singly. This suggests that the required analgesic dose of opioids is lower when opioids are used in combination with cannabis. Accordingly, your Committee finds that cannabis may be a valuable tool for the treatment of pain, especially as a way to reduce opioid use and dependence among patients who have already been prescribed opioid medication.

Your Committee also finds that some studies have indicated that cannabis users are more likely to adhere to a course of treatment for medication-assisted relapse prevention, and are slower to develop opioid tolerance. Your Committee also finds that other states which have permitted the use of cannabis in coordination with opioids have seen drops in addiction and overdoses, with opioid overdose rates falling by an average of twenty-five percent. Your Committee finds that existing law continues to impede research into coadministration of opioids and cannabis.

Your Committee further finds that genuine concerns exist about the efficacy and lack of scientific testing of cannabis as a treatment for opioid addiction. Your Committee acknowledges that other treatments for opioid addiction exist and have been tested. However, your Committee stresses that neither this measure nor existing law mandates a physician to certify that a patient may or must use cannabis; further, under existing law and under this measure, before a qualifying patient may use medical cannabis, the patient must obtain a written certification from the patient's physician or advanced practice registered nurse certifying that the patient has a debilitating disease that may benefit from use of medical cannabis. Your Committee also finds that many physicians may be uncomfortable conducting or discussing research on uses of cannabis that have not been authorized. Your Committee finds that existing law restricts the gathering and sharing of data on a potential use of medical cannabis that has shown early indications of efficacy, and that further study of this potential



use is necessary. In light of the concerns raised, your Committee believes that further discussion of this measure is warranted.

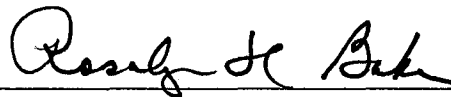
Your Committee has also heard the concern of the Drug Policy Forum of Hawaii that the language used in this measure may perpetuate addiction as a social stigma rather than as a disease to be treated, and thereby discourage patients from seeking treatment. Your Committee finds that the language in this measure should be amended pursuant to the language proposed by the Drug Policy Forum of Hawaii.

Your Committee has amended this measure by:

- (1) Adopting language proposed by the Drug Policy Forum of Hawaii to accurately depict opioid use and substance use disorders as debilitating medical conditions, rather than describing them as addiction or abuse, which can be potentially stigmatizing;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2407, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2407, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SB 2407	Committee Referral: CPH	Date: 2/17/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	—			
TOKUDA, Jill N. (VC)		—		
CHANG, Stanley	—			
ESPERO, Will	—			
IHARA, Jr., Les				—
NISHIHARA, Clarence K.	—	—		
RUDERMAN, Russell E.	—			
TOTAL	4	2		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 2em;">Jim</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes