

JAN 18 2019

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the list of medical
2 cannabis products that may be manufactured and distributed
3 pursuant to section 329D-10, Hawaii Revised Statutes, omits
4 viable products. The legislature notes that the Act 230,
5 Session Laws of Hawaii 2016, medical cannabis legislative
6 oversight working group recommended updating transdermal patches
7 to transdermal devices, as excluding non-patch devices that
8 deliver through the dermis was unintentional.

9 The purpose of this Act is to further ensure access to
10 medical cannabis for qualifying patients, by updating references
11 in the medical cannabis dispensary laws from transdermal patches
12 to transdermal devices to the list of manufactured cannabis
13 products that may be manufactured and distributed by
14 dispensaries.

15 SECTION 2. Section 329D-1, Hawaii Revised Statutes, is
16 amended by amending the definition of "manufactured cannabis
17 product" to read as follows:



S.B. NO. 541

1 "Manufactured cannabis product" means any [~~capsule,~~
2 ~~lozenge, oil or oil extract, tincture, ointment or skin lotion,~~
3 ~~pill, transdermal patch, or pre-filled and sealed container used~~
4 ~~to aerosolize and deliver cannabis orally, such as an inhaler or~~
5 ~~nebulizer,~~] product that has been manufactured using cannabis [~~,~~
6 ~~or any other products as specified by the department]~~ pursuant
7 to section [~~329D-10(a)(9).~~] 329D-10."

8 SECTION 3. Section 329D-10, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) The types of medical cannabis products that may be
11 manufactured and distributed pursuant to this chapter shall be
12 limited to:

- 13 (1) Capsules;
- 14 (2) Lozenges;
- 15 (3) Pills;
- 16 (4) Oils and oil extracts;
- 17 (5) Tinctures;
- 18 (6) Ointments and skin lotions;
- 19 (7) Transdermal [~~patches,~~] devices;
- 20 (8) Pre-filled and sealed containers used to aerosolize
21 and deliver cannabis orally, such as with an inhaler



1 or nebulizer; provided that containers need not be
2 manufactured by the licensed dispensary but shall be
3 filled with cannabis, cannabis oils, or cannabis
4 extracts manufactured by the licensed dispensary;
5 shall not contain nicotine, tobacco-related products,
6 or any other non-cannabis derived products; and shall
7 be designed to be used with devices used to provide
8 safe pulmonary administration of manufactured cannabis
9 products;

10 (9) Devices that provide safe pulmonary administration;
11 provided that:

12 (A) The heating element of the device, if any, is
13 made of inert materials such as glass, ceramic,
14 or stainless steel, and not of plastic or rubber;

15 (B) The device is distributed solely for use with
16 single-use, pre-filled, tamper-resistant, sealed
17 containers that do not contain nicotine or other
18 tobacco products;

19 (C) The device is used to aerosolize and deliver
20 cannabis by inhalation, such as an inhaler,



S.B. NO. 541

1 medical-grade nebulizer, or other similar medical
2 grade volitization device;

3 (D) There is a temperature control on the device that
4 is regulated to prevent the combustion of
5 cannabis oil; and

6 (E) The device need not be manufactured by the
7 licensed dispensary; and

8 (10) Other products as specified by the department."

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:

Rosalyn H Beck

Clarence D. ...
Michelle ...
Proou & Pk



S.B. NO. 541

Report Title:

Medical Cannabis; Manufactured Cannabis Products; Transdermal Devices

Description:

Updates transdermal patches to transdermal devices in section 329D-10, Hawaii Revised Statutes, thereby including non-patch devices that deliver through the dermis.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

