



STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN ONLY

Testimony COMMENTING on HB 1797
RELATING TO HEALTH

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
COMMITTEE ON HEALTH

REPRESENTATIVE BERTRAND KOBAYASHI, VICE-CHAIR
COMMITTEE ON HEALTH

Hearing Date: 01/28/2020

Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The department would like to provide comments on this measure.

3 The purpose of this bill is to increase patient access to medical cannabis by authorizing
4 naturopathic physicians to provide written certification for medical cannabis use to qualifying
5 patients. This measure seeks to amend 329-121, Hawaii Revised Statutes to do so. This
6 amendment would be predicated on proposed changes to Chapter 455 Hawaii Revised Statutes to
7 permit naturopathic physicians to obtain a controlled substance registration from the Department
8 of Public Safety. This registration for naturopathic physicians would be applicable only for the
9 certification of patients for medical cannabis.

10 The department supports efforts to increase patient access to medical cannabis which is limited
11 by the number of physicians and APRNs actively certifying qualified patients, but has concerns
12 that a treatable condition or disease process might be missed if the individual's sole provider is a
13 naturopathic physician. The Department defers to the Department of Public Safety for

- 1 amendments to Chapter 329, HRS and the Department of Commerce and Consumer Affairs on
- 2 any amendments related to Chapter 455, HRS in the bill.
- 3 Thank you for the opportunity to testify.

**Testimony of the
Board of Naturopathic Medicine**

**Before the
House Committee on Health
Tuesday, January 28, 2020
8:35 a.m.
State Capitol, Conference Room 329**

**On the following measure:
H.B. 1797, RELATING TO HEALTH**

Chair Mizuno and Members of the Committee:

My name is Christopher Fernandez, and I am the Executive Officer of the Board of Naturopathic Medicine (Board). The Board offers comments on this bill.

The purpose of this bill is to authorize naturopathic physicians to provide written certification to qualifying patients for medical cannabis use.

The Board will review this bill at its next publicly noticed meeting on January 31, 2020. In the meantime, the Board offers comments based on its testimony on H.B. 673, Relating to Medical Cannabis, from the 2019 legislative session: Certifying patients for the use of medical cannabis falls within the scope of practice and education of a naturopathic physician. However, before certifying patients for medical cannabis use, naturopathic physicians must first be authorized to prescribe controlled substances pursuant to Hawaii Revised Statutes chapter 329 (Uniform Controlled Substances Act).

Thank you for the opportunity to testify on this bill.

**To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health**

**From: Michael Traub, ND
Hawaii Society of Naturopathic Physicians (HSNP)**

**Re: HB1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329**

Position: IN SUPPORT

Current Hawaii law states allows a Hawaii-licensed Medical Doctor, Doctor of Osteopathy, or Advanced Practice Registered Nurse to certify a patient for the Medical Cannabis Program.

The proposed legislation would allow naturopathic physicians to certify a patient for the Medical Cannabis Program by amending the law to authorize naturopathic physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License.

HSNP supports this bill for the following reasons (with suggested amendments below):

- The fact that medical cannabis is a botanical medicine demands a sophisticated understanding of *Cannabis* species and the variety of preparations in which it is available.
- Naturopathic physicians are experts in botanical medicine and medicinal plant chemistry, safety and efficacy.
- Botanical medicines comprise the bulk of prescriptions made by naturopathic physicians from the naturopathic formulary as determined by the Hawaii Board of Naturopathic Medicine (BNM).
- In November 2019, the BNM removed the prohibition of controlled substances from the naturopathic formulary.
- HB1797, in its current form, states “that this shall not be construed to authorize any naturopathic physician to manufacture, distribute, prescribe, dispense, or conduct reverse distribution with any controlled substance within this State” and “the naturopathic formulary shall not include any narcotic drugs or other controlled substances, as defined in section 329-1,” which conflicts with the BNM’s recent decision to remove the prohibition of controlled substances from the naturopathic formulary.
- **We respectfully request that these two sections of HB1797 be deleted**, so that no conflict exist between the BNM’s authority with respect to controlled substances.
- The BNM, has, for the past 10 years, been clear in its position to not include narcotic drugs in the naturopathic formulary, while at the same time has supported legislation that would allow the inclusion of testosterone (a controlled substance).
- The Department of Public Safety has testified in favor of adding testosterone to the naturopathic formulary, and this Committee on Health has also voted in favor of previous bills in this regard. For some unknown reason/s, however, the bills have not successfully navigated the full process for approval by the Legislature.
- In addition to their expertise in botanical medicine, naturopathic physicians are primary care physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

**To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health**

From: Dr. Diana Joy Ostroff, Center for Natural Healing, Honolulu

**Re: HB1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329**

Position: STRONG SUPPORT

Current Hawaii law states allows a Hawaii-licensed Medical Doctor, Doctor of Osteopathy, or Advanced Practice Registered Nurse to certify a patient for the Medical Cannabis Program.

The proposed legislation would allow Naturopathic Physicians to certify a patient for the Medical Cannabis Program by amending the law to authorize Naturopathic Physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License.

How and Why do Naturopathic Doctors Use Botanical Medicine?¹

Botanical medicine, also known as herbal medicine, is the science and practice of using medicinal plants and extracts to improve overall health, support wellness, and treat acute and chronic disease. Many conventional pharmaceutical drugs are derived from plants. Modern botanical medicine combines evidence-based science along with centuries-old experience to provide safe and effective treatments that support the body's ability to heal.

Botanical medicines are complex substances that differ in many ways from pharmaceutical drugs. There may be multiple active constituents, some that may have potential for dose-dependent toxicity. Botanical medicine may be contaminated in the growing or harvesting or manufacturing processes. They may be adulterated. They may interact with prescription drugs in positive or negative ways.

Naturopathic physicians are experts in botanical medicine and understand these complexities and how to use medicinal plants safely.

Cannabis is a perfect example of a complex plant that requires a different understanding than that required for a pharmaceutical cannabis-derived drug. In many other states, naturopathic physicians are authorized to prescribe cannabis and certify patients for medicinal cannabis. This authority comes with the responsibility of knowing what conditions may benefit from cannabis products, as well as conditions for which cannabis may be of no use.

Botanical medicine expands treatment options for patients. Alone or in combination with other naturopathic treatments, botanical medicines can be a safe, appropriate, and effective choice for addressing numerous health concerns ranging from frequent illness to gastrointestinal discomfort to depression, and more. During medical school, NDs complete an average of 130 classroom hours of botanical medicine education.

A cornerstone of naturopathic medicine, botanical medicine is one of the most effective therapies that licensed naturopathic doctors (NDs) use to gently and safely treat illness while minimizing the risk of harmful side effects

¹ Patricia Gaines, ND, and Sheila Kingsbury, ND, *How and Why do Naturopathic Doctors Use Botanical Medicine?* (American Association of Naturopathic Physicians and the Institute for Natural Medicine, FAQs)

Botanical medicine is taught in a series of courses that build upon each other through an ND's four-year, science-based medical education. Naturopathic medical schools are accredited and are recognized by the United States Department of Education. In addition to classroom study, naturopathic medical students refine and apply learnings in various settings, including over 1,200 hours of clinical rotations with patients.

Naturopathic Botanical Medicine Curriculum

Through this rigorous curriculum, naturopathic doctors learn how to choose and effectively prescribe herbal medicines to treat the underlying cause(s) of illness, minimize side effects and drug interactions, and individualize doses and formulations for the maximum therapeutic benefit. Core areas of focus in naturopathic botanical medicine curriculum include:

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- Critical evaluation of literature and research in regard to both efficacy and interactions/contraindications of botanical medicines
- Optimal extraction and delivery for a variety of plants
- Botanical prescription writing
 - Organ systems-based botanical medicine formulation and topical application, including gastrointestinal, respiratory, immune, cardiovascular, ears/eyes/nose/throat, reproductive, urinary, endocrine, musculoskeletal, and nervous systems
- Choosing, assessing and preparing herbal medicine in various forms including aqueous extracts, tinctures, herbal oils and salves, syrups, capsules, oxymels, poultices, and compresses. This includes evaluating comparable advantages and disadvantages of each type of preparation
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In addition to being experts in botanical medicine, naturopathic physicians are primary physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

HB-1797

Submitted on: 1/25/2020 11:05:36 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryce Healy	Dr. Bryce Healy	Support	No

Comments:

Position: STRONG SUPPORT

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Herbal properties and actions of plants

Herbal constituents (compounds that have medicinal properties), medicinal actions (function in the body), and indications

Critical evaluation of literature and research in regard to both efficacy and interactions/contraindications of botanical medicines

Optimal extraction and delivery for a variety of plants

Botanical prescription writing

Organ systems-based botanical medicine formulation and topical application, including gastrointestinal, respiratory, immune, cardiovascular, ears/eyes/nose/throat, reproductive, urinary, endocrine, musculoskeletal, and nervous systems

Choosing, assessing and preparing herbal medicine in various forms including aqueous extracts, tinctures, herbal oils and salves, syrups, capsules, oxymels, poultices, and compresses. This includes evaluating comparable advantages and disadvantages of each type of preparation

Dose ranges, contraindications, toxicity, side effects, and interactions

Sustainability of herbal medications

Effective creation of individualized formulas for patients

Translation of labels to determine the purpose and application of over-the-counter herbal products

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In addition to being experts in botanical medicine, naturopathic physicians are primary physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

HB-1797

Submitted on: 1/24/2020 11:15:22 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Hahn, ND	Individual	Support	No

Comments:

Naturopathic Physicians are the most educated and licensed specifically to use botanical medicine of all medical licensed specialties. It makes sense that the right and privilege of prescribing any approved botanical medicine would be extended to licensed ND's as well as MD's (as MD's do not have the breadth and depth of required educational training in botanicals that ND's do). In the face of the harm done by western drugs, combined with the overprescribing of addictive pharmaceuticals, botanical medicines like cannabis can be a huge benefit to patients as well as to the community, and the ability to prescribe them needs to be available to all licensed primary care physicians, which ND's are in Hawaii. Only frank discrimination could explain why family practice oriented trained and licensed physicians, such as ND's in Hawaii, would not be included to have this within our prescriptive authority. For example... I personally spent an entire term in medical school studying the history and medical uses of cannabis. Large drug companies (Eli Lilly co.) who were competing for profits helped make cannabis illegal many years ago despite cannabis being in 37 patented medicines, with already proven pharmaceutical actions and effectiveness. It is time to correct this and allow this botanical medicine to be used for its highest good by the professionals most trained to do so.

Sincerely,

Dr. Jacqueline Hahn (N.D.)

HB-1797

Submitted on: 1/26/2020 6:41:09 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Sahib Singh	Individual	Support	No

Comments:

As a Naturopathic doctor I support this bill as it will provide patients with a safe alternative to opioids and other harmful drugs with many terrible side effects. Naturopathic doctors are highly trained in botanical medicine and will provide patients with an in depth education on medical cannabis as well as expertise on diet, nutrition, and making healthier lifestyle choices.

HB-1797

Submitted on: 1/23/2020 7:54:16 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Kevin R. Gibson	Individual	Support	No

Comments:

As a Naturopathic Physician who specializes in integrative oncology, I see patients every day who are in pain or have chemotherapy side effects that suppress their immune system, well-being, and appetite. Medical marijuana is excellent as a tool to support patients through these compromised states.

At this time, I have to refer to other primary care doctors for marijuana access and this creates just another doctor visit. Patients undergoing cancer care are usually exhausted and have no interest in yet another doctor visit, so allowing a Naturopathic Physician this prescription right is key to patient care and facilitating access to medical marijuana.

Thank you for caring. We appreciate your full consideration of the need. Please vote to **SUPPORT HB1797.**

Aloha,

Kevin Gibson ND, LAc, MS

**Karen Tan, ND, MAcOM, LAc
320 Ward Ave, Suite 105
Honolulu, HI 96814
808-591-8778**

**To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health**

**From: Karen Tan, ND, MAcOM, LAc
Honolulu, HI**

**Re: HB1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329**

Position: STRONG SUPPORT

Current Hawaii law states allows a Hawaii-licensed Medical Doctor, Doctor of Osteopathy, or Advanced Practice Registered Nurse to certify a patient for the Medical Cannabis Program.

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How and Why do Naturopathic Doctors Use Botanical Medicine?¹

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Naturopathic physicians are experts in botanical medicine and understand these complexities and how to use medicinal plants safely.

Cannabis is a perfect example of a complex plant that requires a different understanding than that required for a pharmaceutical cannabis-derived drug. In many other states, naturopathic physicians are authorized to prescribe cannabis and certify patients for medicinal cannabis. This authority comes with the responsibility of knowing what conditions may benefit from cannabis products, as well as conditions for which cannabis may be of no use.

Botanical medicine expands treatment options for patients. Alone or in combination with other naturopathic treatments, botanical medicines can be a safe, appropriate, and effective choice for addressing numerous health concerns ranging from frequent illness to gastrointestinal discomfort to depression, and more. During medical school, NDs complete an average of 130 classroom hours of botanical medicine education.

¹ Patricia Gaines, ND, and Sheila Kingsbury, ND, *How and Why do Naturopathic Doctors Use Botanical Medicine?* (American Association of Naturopathic Physicians and the Institute for Natural Medicine, FAQs)

A cornerstone of naturopathic medicine, botanical medicine is one of the most effective therapies that licensed naturopathic doctors (NDs) use to gently and safely treat illness while minimizing the risk of harmful side effects

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Sincerely,

Dr Karen Tan

**To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health**

From: Dr. Rachel Klein, Hilo, Hawai'i

**Re: HB1797, Relating to Medical Cannabis
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Position: STRONG SUPPORT

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Naturopathic Physicians are experts in the use of botanical medicines including potential interaction with other medications. Therefore, allowing Naturopathic Physicians to certify qualifying patients for medical cannabis is a safe and effective way of increasing access to healthcare for these patients in need.

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HB-1797

Submitted on: 1/24/2020 11:54:57 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nissa Gundersen	Individual	Support	No

Comments:

I strongly support bill HB1797.

HB-1797

Submitted on: 1/24/2020 9:07:09 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
stephen Benchouk	Individual	Support	No

Comments:

As a naturopathic doctor coming from Arizona where our license allows us the ability to prescribe controlled substances, I have first hand experience on the effectiveness and safety of medical cannabis. Naturopathic doctors are trained in both pharmacology and botanical medicine. As a result, his makes our profession the most qualified in the correct and responsibe use of medical cannabis. I fully support HB1797.

Dr.Stephen Benchouk

HB-1797

Submitted on: 1/25/2020 11:12:56 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kelsey becker	Individual	Support	No

Comments:

To: â€‹Chair John M. Mizuno

â€‹Vice Chair Bertrand Kobayashi

â€‹Members of the Committee on Health

From:â€‹ Kelsey Becker, Hilo, HI

Re:â€‹HB1797, Relating to Medical Cannabis

â€‹January 28, 2020, at 8:35 am, Conference Room 329

Position: STRONG SUPPORT

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- Critical evaluation of literature and research in regard to both efficacy and interactions/contraindications of botanical medicines
- Optimal extraction and delivery for a variety of plants
- Botanical prescription writing
 - o Organ systems-based botanical medicine formulation and topical application, including gastrointestinal, respiratory, immune, cardiovascular, ears/eyes/nose/throat, reproductive, urinary, endocrine, musculoskeletal, and nervous systems
- Choosing, assessing and preparing herbal medicine in various forms including aqueous extracts, tinctures, herbal oils and salves, syrups, capsules, oxymels,

poultices, and compresses. This includes evaluating comparable advantages and disadvantages of each type of preparation

- Dose ranges, contraindications, toxicity, side effects, and interactions
- Sustainability of herbal medications
- Effective creation of individualized formulas for patients
- Translation of labels to determine the purpose and application of over-the-counter herbal products

This comprehensive training combined with a focus on treating the whole person—mind, body, and spirit—enables naturopathic doctors to utilize botanical medicine when best suited to effectively treat the patient based on their diagnosis and presentation. By spending extra time to evaluate and diagnose patients and then drawing on a spectrum of therapies including botanical medicine, clinical nutrition, and behavioral and lifestyle medicine, naturopathic doctors tailor comprehensive treatment to each patient, with a close eye on safety.

In addition to being experts in botanical medicine, naturopathic physicians are primary physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

HB-1797

Submitted on: 1/26/2020 10:46:52 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Poiani	Individual	Support	No

Comments:

Expansion of Naturopathic medical services only benefits the health of Hawai'i.

HB-1797

Submitted on: 1/26/2020 3:24:08 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Steelsmith	Individual	Support	No

Comments:

To: Chair John M. Mizuno, Vice Chair Bertrand Kobayashi, and Members of the Committee on Health

**Re: HB 1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329**

Position: STRONG SUPPORT

Dear Chair John M. Mizuno, Vice-Chair Bertrand Kobayashi, and Members of the Committee on Health,

I strongly support HB 1797 because it would amend the current law to allow Hawaii's Naturopathic Physicians to certify patients for the Medical Cannabis Program. Current Hawaii law gives this responsibility to Medical Doctors, Doctors of Osteopathy, and Advanced Practice Registered Nurses, but inexplicably excludes Naturopathic Physicians. It is highly appropriate to amend the law to authorize Naturopathic Physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License for this purpose.

As primary care physicians and our most highly qualified experts in botanical medicine, Naturopathic Physicians are well equipped to understand the complexities of prescribing medicinal plants safely and effectively. During their federally-accredited medical training, they complete an average of 130 classroom hours of botanical medicine education through several years of scientific study. Because of this, the training of Naturopathic Physicians in the U.S. is widely considered the world's best medical education in this area of medicine. This is why many other states already authorize Naturopathic Physicians to prescribe cannabis and certify patients for medicinal cannabis.

Adding Naturopathic Physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program will increase access to health care and benefit the people of Hawaii for whom medical cannabis may be an appropriate therapeutic option.

Thank you,
Alex Steelsmith

HB-1797

Submitted on: 1/26/2020 6:33:06 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amber Ellington	Individual	Support	No

Comments:

As a licensed Naturopathic Doctor, I support this bill because it provides a safe and natural option for pain relief and many other health ailments. Naturopathic Doctors are trained in using botanical medicines and being able to recommend medical cannabis is well within our scope of practice.

HB-1797

Submitted on: 1/27/2020 7:07:04 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Steelsmith	Individual	Support	Yes

Comments:

Dear Chair John M. Mizuno, Vice-Chair Bertrand Kobayashi, and Members of the Committee on Health,

Please support HB1797 to amend the current law to allow Hawaii's Naturopathic Physicians to certify patients for the Medical Cannabis Program. Current Hawaii law gives this responsibility to Medical Doctors, Doctors of Osteopathy, and Advanced Practice Registered Nurses, but inexplicably excludes Naturopathic Physicians. As you may know, Naturopathic Physicians already have rights to prescribe a number of prescription-only pharmaceutical medicines including antibiotics, blood pressure drugs, antidepressants, hormones, and more in their current formulary. Including cannabis, a botanical medicine, to our formulary would be highly appropriate. As a Licensed Naturopathic Physician in Hawaii with 26 years of experience, I highly recommend that you amend the law to authorize Naturopathic Physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License for this purpose.

As a profession we are the most highly qualified experts in botanical medicine. Of all the medical professionals licensed in Hawaii, Naturopathic Physicians are best equipped to understand the complexities of prescribing medicinal plants safely and effectively. During our federally-accredited medical training, we complete an average of 130 classroom hours of botanical medicine education and must pass board exams including botanical prescribing and pharmacology in order to be licensed to practice naturopathic medicine in the state of Hawaii. In the United States, the training of Naturopathic Physicians is considered the world's best medical education in using plants for medicine. This is why many other states already authorize Naturopathic Physicians to prescribe cannabis and certify patients for medicinal cannabis.

Adding Naturopathic Physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program will increase access to health care and benefit the people of Hawaii for whom medical cannabis may be an appropriate therapeutic option.

Thank you,
Dr. Laurie Steelsmith N.D., L.Ac.

www.DrSteelsmith.com



Steelsmith Natural Health Center

438 Hobron Lane, Suite 314, Honolulu, Hawaii 96815

www.SteelsmithHealth.com

(808)943-0330

To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health

From: Kristen Coles, ND, LAc
Steelsmith Natural Health Center

Re: HB1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329

Position: IN SUPPORT

Dear Chairman Mizuno and Members of the Committee on Health –

I am a practicing naturopathic physician in Honolulu and support HB1797. As a naturopathic physician our training is on par with other healthcare providers who currently have the ability to certify patients for the Hawaii Medical Cannabis program. Additionally, I would point out that naturopathic physicians are the leading experts trained in herbal medicine, which medical cannabis is an herbal derived product. Please consider passing this bill as I believe the inclusion of naturopathic physicians to the providers that are eligible to certify patients for medical cannabis will be beneficial to the people of Hawaii.

Thank you,

Dr. Kristen Coles

HB-1797

Submitted on: 1/24/2020 10:34:12 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darrow Hand	Individual	Support	No

Comments:

Aloha,

Please pass HB1797 as is.

Sincerely,

Darrow Hand, ND

HB-1797

Submitted on: 1/27/2020 11:49:32 AM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bonnie Marsh	UpCountry Doctor	Support	No

Comments:

Please support Medical Cannabis supervision by Naturopathic Physicians.

We are well educated in botanical medicine and pharmacognosy to make accurate accessment of the need for medical cannabis within our community.

Thank you for your consideration,

Dr. Bonnie Marsh

Haiku Town, Maui

**To: Chair John M. Mizuno
Vice Chair Bertrand Kobayashi
Members of the Committee on Health**

From: (Your Name), Clinic, City

**Re: HB1797, Relating to Medical Cannabis
January 28, 2020, at 8:35 am, Conference Room 329**

Position: STRONG SUPPORT

Current Hawaii law states allows a Hawaii-licensed Medical Doctor, Doctor of Osteopathy, or Advanced Practice Registered Nurse to certify a patient for the Medical Cannabis Program.

The proposed legislation would allow Naturopathic Physicians to certify a patient for the Medical Cannabis Program by amending the law to authorize Naturopathic Physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License.

How and Why do Naturopathic Doctors Use Botanical Medicine?¹

Botanical medicine, also known as herbal medicine, is the science and practice of using medicinal plants and extracts to improve overall health, support wellness, and treat acute and chronic disease. Many conventional pharmaceutical drugs are derived from plants. Modern botanical medicine combines evidence-based science along with centuries-old experience to provide safe and effective treatments that support the body's ability to heal.

Botanical medicines are complex substances that differ in many ways from pharmaceutical drugs. There may be multiple active constituents, some that may have potential for dose-dependent toxicity. Botanical medicine may be contaminated in the growing or harvesting or manufacturing processes. They may be adulterated. They may interact with prescription drugs in positive or negative ways.

Naturopathic physicians are experts in botanical medicine and understand these complexities and how to use medicinal plants safely.

Cannabis is a perfect example of a complex plant that requires a different understanding than that required for a pharmaceutical cannabis-derived drug. In many other states, naturopathic physicians are authorized to prescribe cannabis and certify patients for medicinal cannabis. This authority comes with the responsibility of knowing what conditions may benefit from cannabis products, as well as conditions for which cannabis may be of no use.

Botanical medicine expands treatment options for patients. Alone or in combination with other naturopathic treatments, botanical medicines can be a safe, appropriate, and effective choice for addressing numerous health concerns ranging from frequent illness to gastrointestinal discomfort to depression, and more. During medical school, NDs complete an average of 130 classroom hours of botanical medicine education.

A cornerstone of naturopathic medicine, botanical medicine is one of the most effective therapies that licensed naturopathic doctors (NDs) use to gently and safely treat illness while minimizing the risk of harmful side effects

¹ Patricia Gaines, ND, and Sheila Kingsbury, ND, *How and Why do Naturopathic Doctors Use Botanical Medicine?* (American Association of Naturopathic Physicians and the Institute for Natural Medicine, FAQs)

Botanical medicine is taught in a series of courses that build upon each other through an ND's four-year, science-based medical education. Naturopathic medical schools are accredited and are recognized by the United States Department of Education. In addition to classroom study, naturopathic medical students refine and apply learnings in various settings, including over 1,200 hours of clinical rotations with patients.

Naturopathic Botanical Medicine Curriculum

Through this rigorous curriculum, naturopathic doctors learn how to choose and effectively prescribe herbal medicines to treat the underlying cause(s) of illness, minimize side effects and drug interactions, and individualize doses and formulations for the maximum therapeutic benefit. Core areas of focus in naturopathic botanical medicine curriculum include:

- History and current use of Western herbal medicine
- Herbal properties and actions of plants
- Herbal constituents (compounds that have medicinal properties), medicinal actions (function in the body), and indications
- Critical evaluation of literature and research in regard to both efficacy and interactions/contraindications of botanical medicines
- Optimal extraction and delivery for a variety of plants
- Botanical prescription writing
 - Organ systems-based botanical medicine formulation and topical application, including gastrointestinal, respiratory, immune, cardiovascular, ears/eyes/nose/throat, reproductive, urinary, endocrine, musculoskeletal, and nervous systems
- Choosing, assessing and preparing herbal medicine in various forms including aqueous extracts, tinctures, herbal oils and salves, syrups, capsules, oxymels, poultices, and compresses. This includes evaluating comparable advantages and disadvantages of each type of preparation
- Dose ranges, contraindications, toxicity, side effects, and interactions
- Sustainability of herbal medications
- Effective creation of individualized formulas for patients
- Translation of labels to determine the purpose and application of over-the-counter herbal products

This comprehensive training combined with a focus on treating the whole person—mind, body, and spirit—enables naturopathic doctors to utilize botanical medicine when best suited to effectively treat the patient based on their diagnosis and presentation. By spending extra time to evaluate and diagnose patients and then drawing on a spectrum of therapies including botanical medicine, clinical nutrition, and behavioral and lifestyle medicine, naturopathic doctors tailor comprehensive treatment to each patient, with a close eye on safety.

In addition to being experts in botanical medicine, naturopathic physicians are primary physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

HB-1797

Submitted on: 1/27/2020 12:47:51 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Corinne Maul De Soto	Individual	Support	Yes

Comments:

I am a primary care physician and a licensed naturopathic physician. Medical cannabis is an essential medication for pain control especially as an alternative to addictive opiates. We should remove barriers to receiving this medication for people in need and allow patients to get the recommendation for medical cannabis from their PCPs, regardless of whether that PCP is an MD, APRN or ND. At present on Hawaii Island, there are very few MD's who will make the recommendation for medical cannabis and those that do only accept cash payments for services. I am an insurance-covered primary care provider and would be able to make this certification without adding extra obstacles for my patients in need.

Naturopathic Doctors have training and licensure necessary for this role and are appropriately palced within the medical community to access Please help fight the opiate epidemic and increase access to medical cannabis from qualified and licensed providers.

HB-1797

Submitted on: 1/26/2020 12:59:05 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon	Individual	Oppose	No

Comments:

I oppose this legislation, as well as any other attempt to further confuse the public who already may not grasp the wide gulf of expertise between actual physicians -- Medical Doctors (MD) and Doctors of Osteopathic Medicine (DO) -- and self-described physicians such as Naturopathic 'Physicians' or 'Doctors.' As someone who actually ~does~ support the integration of holistic and alternative approaches to wellness, it is a shame that some practitioners and organizations have intentionally sought to blur the lines between comprehensively trained medical physicians and naturopathic providers. Many traditional naturopaths, in fact, have honorably opposed such efforts. I take no stand necessarily in support of 'medical' vs. 'recreational' legalization of marijuana, but so long as the State of Hawaii has decided to restrict marijuana's legal use to medically defined conditions (a short list, if evidence-based), then prescribing decisions should be made only by MDs or DOs. Regarding the difference between MD & DO vs. 'ND' and the like, the American Medical Association has a good primer for expanding the knowledge base of stakeholders including legislators here: http://www.mmaoffice.org/Meetings/Legislative%20Committee/Meetings/2014/4_15_2014/sop-naturopath.pdf and the American Academy of Family Physicians has a more bite-sized brief that delineates differences in education and experience here: <https://www.aafp.org/dam/AAFP/documents/advocacy/workforce/gme/ES-FPvsNaturopaths-110810.pdf> -- Thank you for your consideration. //// David Kingdon, MPH, Paramedic

LATE

HB-1797

Submitted on: 1/27/2020 8:06:08 PM

Testimony for HLT on 1/28/2020 8:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Brennan, N.D.	Individual	Support	No

Comments:

To: Chair John M. Mizuno

Vice Chair Bertrand Kobayashi

Members of the Committee on Health

From: Carrie Brennan, ND (practice in Kapaa)

Re: HB1797, Relating to Medical Cannabis

January 28, 2020, at 8:35 am, Conference Room 329

Position: STRONG SUPPORT

Current Hawaii law states allows a Hawaii-licensed Medical Doctor, Doctor of Osteopathy, or Advanced Practice Registered Nurse to certify a patient for the Medical Cannabis Program.

The proposed legislation would allow Naturopathic Physicians to certify a patient for the Medical Cannabis Program by amending the law to authorize Naturopathic Physicians to obtain a Drug Enforcement Agency (DEA) number and a Hawaii Controlled Substance License.

How and Why do Naturopathic Doctors Use Botanical Medicine?[1]

Botanical medicine, also known as herbal medicine, is the science and practice of using medicinal plants and extracts to improve overall health, support wellness, and treat acute and chronic disease. Many conventional pharmaceutical drugs are derived from plants. Modern botanical medicine combines evidence-based science along with centuries-old experience to provide safe and effective treatments that support the body's ability to heal.

Botanical medicines are complex substances that differ in many ways from pharmaceutical drugs. There may be multiple active constituents, some that may have potential for dose-dependent toxicity. Botanical medicine may be contaminated in the growing or harvesting or manufacturing processes. They may be adulterated.

They may interact with prescription drugs in positive or negative ways.

Naturopathic physicians are experts in botanical medicine and understand these complexities and how to use medicinal plants safely.

Cannabis is a perfect example of a complex plant that requires a different understanding than that required for a pharmaceutical cannabis-derived drug. In many other states, naturopathic physicians are authorized to prescribe cannabis and certify patients for medicinal cannabis. This authority comes with the responsibility of knowing what conditions may benefit from cannabis products, as well as conditions for which cannabis may be of no use.

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Botanical medicine is taught in a series of courses that build upon each other through an ND's four-year, science-based medical education. Naturopathic medical schools are accredited and are recognized by the United States Department of Education. In addition to classroom study, naturopathic medical students refine and apply learnings in various settings, including over 1,200 hours of clinical rotations with patients.

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In addition to being experts in botanical medicine, naturopathic physicians are primary physicians and manage prescriptions for many of their patients. Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

Sincerely,

Carrie Brennan, ND

[1]Patricia Gaines, ND, and Sheila Kingsbury, ND, *How and Why do Naturopathic Doctors Use Botanical Medicine?*(American Association of Naturopathic Physicians and the Institute for Natural Medicine, FAQs)

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
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LATE

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH
Thirtieth State Legislature
Regular Session of 2020
State of Hawai`i

January 28, 2020

RE: H.B. 1797; RELATING TO HEALTH.

Chair Mizuno, Vice-Chair Kobayashi, members of the House Committee on Health, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in opposition to House Bill 1797. The purpose of H.B. 1797 is to allow naturopathic physicians to issue written certifications for medical cannabis, in addition to physicians and advanced practice registered nurses.

Since 2015, Hawaii has drastically expanded the list of people who are authorized to issue written certifications for medical cannabis, from approximately 1,600 active primary care physicians, to now over 5,100 active physicians and advanced practice registered nurses (“APRN”) statewide. Prior to 2015, only primary care physicians could issue written certifications for medical cannabis, and there were approximately 1,600 active primary care physicians in Hawaii.¹ In 2015, this privilege was extended to all physicians with a “bona fide physician-patient relationship” [see Act 241 (2015), Section 8], doubling the number to approximately 3,600 individuals.² In 2016, this was further expanded to allow all APRN’s to issue certifications [see Act 230 (2016), Section 9], which added approximately 1,300 APRN’s statewide.³ While APRN’s are not medical doctors, they reportedly receive comparable medical

¹ See 2014 Hawaii Physician Workforce Profile, showing 1,603 primary care physicians statewide; available online at aamc.org/system/files/2019-07/hawaiiprofile.pdf; last accessed January 27, 2020. Also see 2016 Hawaii Physician Workforce Profile, showing 1,660 primary care physicians statewide; available online at aamc.org/system/files/2019-08/hawaii2017.pdf; last accessed January 27, 2020.

² See page 3, Hawaii Physician Workforce Assessment Project, Report to the 2016 Legislature, dated October 2015; showing 3,596 active physicians practicing in non-military settings; available online at <https://www.ahcc.hawaii.edu/download/13686/>; last accessed January 27, 2020.

³ See available online at <https://www.ahcc.hawaii.edu/download/13961/>; last accessed January 27, 2020. Geographic Report dated August 15, 2016, issued by State of Hawaii, Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division; showing 1,360 active APRN’s statewide; available online at cca.hawaii.gov/pvl/files/2013/06/WebGeo_081516.pdf; last accessed January 27, 2020.

training, maintain comparable standards of medical certainty, and are already legally authorized to prescribe most controlled substances within their specialty.

Today, there are approximately 3,500 active physicians and 1,600 active APRN's, all of whom are authorized to issue these certifications, for a total of approximately 5,100 individuals statewide.⁴ Moreover, the requisite "bona fide relationship" between patient and physician, or patient and APRN, can now be maintained via telehealth—after an initial in-person meeting—which provides regular access to a physician or APRN for patients living in remote or underserved areas. Thus, if a patient in Hawaii feels they are in need a certification for medical cannabis, there are already ample individuals who could provide it for them, and the restrictions have already been loosened to the point where it need not even be their primary care provider, nor do they need to have more than one in-person visit with the provider.

In addition, it is the Department's understanding that "naturopathic physicians" do not maintain the same medical standards nor receive the same level of medical training as physicians or APRN's in Hawaii. Without a written certification for medical use, cannabis continues to be a Schedule 1 drug—both on the State and Federal schedules—and the Department is deeply concerned that further loosening the standards on who can issue written certifications for this substance would further open the door to those who would abuse this privilege, such as someone whose sole or primary practice is issuing medical marijuana certifications, regardless of their actual relationship (or lack thereof) with the patient, and/or regardless of whether the patient has a truly debilitating medical condition.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly believes that reasonable controls must be maintained on issuance of these certifications, and opposes the passage of H.B. 1797. Thank you for the opportunity to testify on this matter.

⁴ See Geographic Report dated October 17, 2019, issued by State of Hawaii, Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division; showing 1,61 active APRN's statewide; available online at cca.hawaii.gov/pvl/files/2019/10/WebGeo_101719.pdf; last accessed January 27, 2020.