



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of H.B. 0583 H.D. 2  
RELATING TO CANNABIS FOR MEDICAL USE**

REPRESENTATIVE SYLVIA LUKE, CHAIR  
HOUSE COMMITTEE ON FINANCE

Hearing Date: Wednesday, February 19, 2020 Room Number: 308

1 **Fiscal Implications:** None identified.

2 **Department Testimony:** The Department is in SUPPORT of this measure which: (1) Aligns the  
3 language in Chapter 329D, Hawaii Revised Statutes, with recent enactments that provide for the  
4 transfer of a dispensary license, removes the exclusion from dispensary employment for certain  
5 class C felony convictions, and repeals the public housing restriction on medical cannabis facility  
6 siting; (2) Corrects the omission of primary caregivers, qualifying out-of-state patients, and  
7 caregivers of a qualifying out-of-state patient as individuals allowed to access medical cannabis  
8 retail locations; (3) Defines “restricted access area” as that area in a retail location where medical  
9 cannabis and manufactured medical cannabis products are dispensed or made available for retail  
10 sale; and (4) Clarifies that each day of a violation of Chapter 329D, HRS is a separate offense  
11 subject to a fine. Defining “restricted access area” will better serve patients by allowing a family  
12 member, caregiver, or other assistant to help patients into retail dispensaries while preventing  
13 unauthorized access to medical cannabis and manufactured medical cannabis products.  
14 Clarifying that each day of a violation is a separate offense will better protect patient safety by  
15 facilitating oversight of dispensary compliance with Chapter 329D, HRS.

16 Thank you for the opportunity to testify on this measure.

**HB-583-HD-2**

Submitted on: 2/18/2020 11:39:51 AM

Testimony for FIN on 2/19/2020 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kat Brady	Community Alliance on Prisons	Support	No

Comments:

# HAWAI'I CANNABIS INDUSTRY ASSOCIATION

February 19, 2020

TO: Representative Sylvia Luke, Chair Finance  
Representative Ty J.K. Cullen, Vice Chair Finance  
Members of the House Committee on Finance

FR: Teri Freitas Gorman, 2020 Chair, Hawai'i Cannabis Industry Association (HICIA)

RE: **HB583 HD2 RELATING TO CANNABIS FOR MEDICAL USE. - SUPPORT**  
Allows primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the restricted access area within a medical cannabis retail dispensary. Clarifies violations related to medical cannabis dispensaries and makes other conforming amendments to the State's medical cannabis dispensary law. Effective 7/1/2050.

The Hawai'i Cannabis Industry Association, formerly known as the Hawai'i Educational Association for Licensed Therapeutic Health (HEALTH), represents all eight of the state's licensed medical cannabis dispensaries and associate members.

The association would like to provide clarification and additional information about the scope of access to dispensary areas restricted to the public. The law currently uses the broad term "premises" to describe prohibited areas but should be more specifically defined and delineated as the retail facility sales area, so that that the security and access for caregivers, qualifying out-of-state patients and caregivers of out-of-state patients is clear.

We also support the other housekeeping provisions in the bill which align with recent enactments to the law so that there is consistency throughout the chapter to: (1) provide a process for the voluntary or involuntary sale or transfer of a dispensary license, (2) remove the exclusion from dispensary employment for certain class C felony convictions, and (3) repeal certain restrictions on medical cannabis dispensary siting.

Thank you for the opportunity to provide our testimony and for your consideration to move this bill forward.



February 18, 2020

To: Representative Sylvia Luke, Chair  
Representative Ty. J.K. Cullen, Vice Chair  
Members of the House Committee on Finance

Fr: Kalani Ho-Nikaido, Maui Wellness Group, dba Maui Grown Therapies

Re: TESTIMONY IN SUPPORT OF HB583 HD2 WITH PROPOSED MODIFICATION  
RELATING TO CANNABIS FOR MEDICAL USE.

Maui Wellness Group was awarded Hawaii's first medical cannabis license in April of 2016 and conducted the state's first legal sale of cannabis in August of 2017. We are now well into our third year of operations, so we welcome the provisions proposed by HB583 HD2.

Clarifying that the 'restricted access area' in a dispensary to only the area where products are dispensed will allow access to indoor areas for loved ones who are assisting registered patients. These helpers will be able to wait in an area where sales are not conducted. This is a needed and compassionate provision.

We also support the other provisions in the bill for consistency throughout the chapter to: (1) provide a process for the voluntary or involuntary sale or transfer of a dispensary license, (2) remove the exclusion from dispensary employment for certain class C felony convictions, and (3) repeal certain restrictions on medical cannabis dispensary locations.

In our operating experience, we have found it to be difficult to entice prospective employees, contractors and others to bid, or offer essential skills and services *only after submitting to a background check*. We therefore propose an amendment to §329-12 (b) to expand background check exemptions for a period not to exceed 24 hours for parties requiring limited, temporary access to licensed facilities, when escorted at all times by a company employee. We propose the following amendment:

**§329-12 Background checks.**

(5) (b) This section shall not apply to...

...(3) Contractors, vendors, investors and others the department may authorize, subject to terms the department may require, to enter licensee's premises for up to 24 hours for the purpose of providing personal or professional services.

Mahalo for the opportunity to testify.

**HB-583-HD-2**

Submitted on: 2/16/2020 5:35:07 PM

Testimony for FIN on 2/19/2020 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miles W. Tuttle	Kush Hawai'i	Support	No

Comments:

**HB-583-HD-2**

Submitted on: 2/16/2020 8:29:08 AM

Testimony for FIN on 2/19/2020 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Gelert	Individual	Oppose	No

Comments: