



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN ONLY

**Testimony COMMENTING on SB 2476 SD1
RELATING TO HEALTH**

SENATOR DONOVAN DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 02/26/20

Room Number: 211

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

- 9 The department supports efforts to increase patient access to medical cannabis which is limited
- 10 by the number of physicians and APRNs actively certifying qualified patients, and has concerns
- 11 that a treatable condition or disease process may be missed if the individual's sole provider is a
- 12 naturopathic physician. The Department defers to the Department of Public Safety for
- 13 amendments to Chapter 329, HRS and the Department of Commerce and Consumer Affairs on
- 14 any amendments related to Chapter 455, HRS in the bill.

- 1 Thank you for the opportunity to testify.

SB-2476-SD-1

Submitted on: 2/24/2020 8:51:05 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Dye	Testifying for Anne Dericks Dye, ND	Support	Yes

Comments:

Aloha Committee,

I strongly support SB2476. As a licensed Naturopathic Physician in Hawaii, I believe all doctors should be able to prescribe medicinal herbs and drugs. Naturopathic Physicians have extensive education and training in herbal medicine, including medicinal cannabis. Please include this in our prescribing formulary.

Sincerely,

Dr. Anne Dericks Dye, ND

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

From: Michael Traub, ND, FABNO
Chair, Legislative Committee
Hawaii Society of Naturopathic Physicians

Re: SB2476, SD1, Relating to Medical Cannabis
February 26, 2020, at 1:10 pm, Conference Room 211

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.

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, in anticipation of successful passage of legislation expected as with this bill, the BNM removed the prohibition of controlled substances from the naturopathic formulary.**
- **SB2476SD1, in its current form, states on p.2 “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 on p.10 “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 SB2476SD1 be deleted, so that no conflict exists between the BNM’s authority with respect to controlled substances. As stated in the preamble of SB2476SD1 “The legislature further finds that, as determined by the state board of naturopathic medicine, it is within the scope of naturopathic practice that medical cannabis can be prescribed by naturopathic physicians.”**
- **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 BNM is in support of the amendments as suggested above.**
- **The Department of Public Safety** has testified in previous sessions of this legislature in favor of adding testosterone to the naturopathic formulary and **is supportive** of registering naturopathic physicians for controlled substances.

- Tamara Whitney, Program Coordinator for the DOH Medical Cannabis Registry Program, has stated that passage of this bill will have **no financial impact** on the program.

- In addition to their expertise in botanical medicine, naturopathic physicians are primary care physicians and manage prescriptions for many of their patients. There are approximately 135 naturopathic physicians with active licenses in Hawaii. There are fewer than 200 physicians and APRNs who have certified the 27,000 patients in Hawaii for the Medical Cannabis Program (data provided by DOH). Adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis program would significantly increase access to healthcare and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

Thank you for your careful consideration of this bill and our suggested amendments.

Sincerely,

Michael Traub, ND, FABNO

Dr Myron Berney, ND, LAc
Naturopathic Physician
Licensed Acupuncturist

IN SUPPORT SB2476, SD1

Naturopathic Physicians are experts in the fields of Natural Medicine, Natural Health Care, and in Healthy Lifestyle Choices. Naturopathic Physicians are trained in Medicine and Surgery to the same educational standards as AMA medical Schools with the addition of High Quality Evidence Based Natural Medicine.

The Medical Use of Cannabis has been used by Natural Healers safely and effectively for thousands of years. Cannabis is a traditional herbal medicine; Naturopathic Physicians are the leading experts in Herbal Medicine. Naturopathic Medical Education is the only medical education that requires education and training in all aspects of herbal medicine.

Naturopathic Medical Schools and Universities provide ongoing State of the Art Continuing Education on the Medical Use of Cannabis.

Most other medical educational programs are lacking education and training in most aspects of Herbal Medicine and Natural Healing.

We agree with the Purpose and Intent of this Bill which is go provide improved and greater medical access to necessary, appropriate, reasonable health care services and essential medicine. The legislature finds that although the State has taken many important steps to make medical cannabis available, further action is needed to ensure access.

The sole intent of this bill is to provide necessary, appropriate and reasonable access to essential medicine for benefit of the Public Health.

The purpose of this Act is to improve patient access to medical cannabis by authorizing Naturopathic Physicians to provide written certification for medical cannabis use to qualifying patients.

The Hawaii State Board of Naturopathic Medicine has determined that it is within the Scope of Practice of Naturopathic Medicine and that medical cannabis can be prescribed by Naturopathic Physicians.

Accordingly, the purpose of this Act is to improve patient access to medical cannabis by authorizing Naturopathic Physicians to provide written certification for medical cannabis use to qualifying patients.

Historically, the Traditional Use, Religious Use and Medical Use of Cannabis began in prehistoric times and has continued throughout recorded history. Prior to the Prohibition of Cannabis in 1939, Cannabis was listed in the US Pharmacopeia as an Official Medicine. The prohibition of Marijuana was strongly opposed by the AMA in 1939. Prohibition of USP Cannabis was accomplished by “fake news” and Hollywood movies that misrepresented Cannabis as having drug effects that are actually attributed to alcohol and cocaine.

We now know that Cannabis prevents and treats Drug Abuse specifically in treating both Alcohol abuse and Opioid Addiction. Cannabis, THC, prevents opioid dependency reducing or eliminating the risk of overdose and death while increasing the therapeutic action synergistically.

Currently, the medical use of Cannabis is fully accepted by Law Enforcement and the majority of Physicians locally and nationally. Nationally and specifically here in Hawaii the majority of voters support Legalization and Regulation of Marijuana.

Some Christians have a Religious Belief that opposes marijuana as a “Devil Weed”. Orthodox Jewish Rabbis declare that marijuana is Kosher. Some Hindu, Buddhist, Christians and Jews hold to the Spiritual use of Cannabis.

In State and Provinces that have legalized OTC Recreational Marijuana the Violent Crime Rate has dropped by 25%, Alcohol Abuse dropped about 45% and Opioid prescription use was down over 50%. Marijuana is good for both the Public Health and Public Safety. When law enforcement recognizes the benefit of a 25% drop in violent crimes, they will be “All in!”

The Hawaii State Board of Naturopathic Medicine has determined that it is within the Scope of Practice of Naturopathic Medicine and that medical cannabis can be prescribed by Naturopathic Physicians.

The sole intent of this bill is to provide necessary, appropriate and reasonable access to essential medicine for benefit of the Public Health.

In Addition, and perhaps more importantly, [on page 6] The certifying physician, 7 naturopathic physician, or advanced practice registered nurse 8 shall be required to have a bona fide physician-patient 9 relationship, bona fide naturopathic physician-patient 10 relationship, or bona fide advanced practice registered nurse 11 patient relationship, as applicable, with the qualifying 12 patient.

The Purpose of this language requiring a bona fide relationship, In My Humble Opinion, is to ensure appropriate medical care and to eliminate the out-of-State-fly-by-night Prescription mills that have been invading the State prior to this necessary, reasonable and appropriate language that is required to assure high quality health care delivery.

If Cannabis was Scheduled Medically instead of Politically, Cannabis would not be a controlled substance. Cannabis would be Over the Counter [OTC], also known as Recreational, worldwide.

Thank you for your ongoing support of Health Care and the Public Health.

Sincerely,

Dr. Myron Berney, N.D., L.Ac.
Dr. Myron Berney, N.D., L.Ac.

SB-2476-SD-1

Submitted on: 2/24/2020 8:43:18 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Dye	Individual	Support	Yes

Comments:

Hello Committee,

Please vote YES on SB 2476. I strongly support this bill.

Mahalo,

Robert Dye

SB-2476-SD-1

Submitted on: 2/24/2020 11:23:43 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Corinne Maul De Soto	Individual	Support	No

Comments:

To: Senator Karl Rhoads, Chair

**Senator Jarrett Keohokalole, Vice Chair
Committee on Judiciary**

Senator Donovan M. Dela Cruz, Chair

**Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means**

From: Dr Corinne De Soto, The Koa Clinic, Kailua Kona

Re: SB2476, SD1, Relating to Medical Cannabis

February 26, 2020, at 1:10 pm, Conference Room 211

Position: STRONG SUPPORT

In addition to being experts 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.

I personally practice as a PCP for hundreds of patients in my community. I have many patients who suffer from chronic pain and other qualifying medical conditions that would greatly benefit from medical cannabis. Naturopathic physicians are well trained and aptly positioned to be an asset to this program and the States public health goals of reducing use of harmful and addictive opiate medications.

Thank you for your consideration,

Sincerely

Dr Corinne M. De Soto

SB-2476-SD-1

Submitted on: 2/25/2020 12:22:19 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

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

Comments:

February 24, 2020

To:

**Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
The Committee on Judiciary**

**Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
The Committee on Ways and Means**

**From: Alex Steelsmith
Waimanalo, Hawaii**

Re: SB2476 SD1, Relating to Medical Cannabis
Joint decision-making meeting February 26, 2020, at 1:10 p.m. in Conference Room 211

Position: SUPPORT SB 2476 SD 1

Dear Senators and Committee Members,

I'm writing to urge that you please approve S B2476 SD 1, authorizing naturopathic physicians to have the same authority as other physicians and advanced practice registered nurses in certifying qualified patients for the medical use of cannabis.

It is highly appropriate to give naturopathic physicians this authority. Many other states already authorize naturopathic physicians to prescribe medical cannabis and certify patients for its use. As primary care doctors and our most highly qualified experts in botanical medicine, naturopathic physicians are particularly well equipped to understand the factors involved in 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 rigorous 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.

Allowing our naturopathic physicians to certify patients for the medical use of cannabis will increase access to health care, and benefit the Hawaii residents for whom medical cannabis may be an appropriate therapeutic option.

Thank you,
Alex Steelsmith

SB-2476-SD-1

Submitted on: 2/25/2020 8:38:37 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
JoAnn Chisholm-Dueno	Individual	Support	No

Comments:

This is an important step that should have been passed long ago! I support this 100%.

SB-2476-SD-1

Submitted on: 2/24/2020 8:41:08 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Beckley Dye	Individual	Support	Yes

Comments:

I support SB 2476. I believe my Licensed Primary Care Physician, who is a Naturopathic Doctor should have the right to prescribe any drug or herb available to other doctors.

Sincerely,

Beckley Dye



Akamai Cannabis Clinic

3615 Harding Ave, Suite 304
Honolulu, HI 96816

TESTIMONY ON SENATE BILL 2476 SD1
RELATING TO HEALTH

By
Clifton Otto, MD

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Wednesday, February 26, 2020; 1:10 PM
State Capitol, Conference Room 211

Thank you for the opportunity to provide testimony on this measure. Please consider the following comments related to this bill:

If you are going to allow Naturopathic Doctors (NDs) to perform Written Certifications for Hawaii's Medical Cannabis Program without state and federal controlled substance prescribing registration, then Medical Doctors and APRNs should also be allowed to provide Written Certifications without such registration. I suggest that you remove the current requirement that certifying Physicians and APRNs possess state and federal controlled substance registration.

Also, there is currently no way for NDs to apply for DEA registration to provide Written Certifications for the medical use of cannabis because the DEA continues to apply the federal regulation of the non-medical use of marijuana to our medical cannabis program in an unconstitutional fashion. You may want to remove this provision from this bill and consider actions the state can take to eliminate this conflict.

Aloha.

"An Accepted Medical Use Supporter"

SB-2476-SD-1

Submitted on: 2/25/2020 10:30:09 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

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

Comments:

To:

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
The Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
The Committee on Ways and Means

From:

Dr. Laurie Steelsmith N.D., L.Ac.
Steelsmith Natural Health Center
Honolulu, Hawaii

February 25, 2020

Re:

SB 2476 SD1, Relating to Medical Cannabis

(Meeting on February 26, 2020, at 1:10 p.m. in Conference Room 211)

Position: SUPPORT

Dear Senators and Committee Members,

Please approve SB 2476 SD 1 to allow Naturopathic Physicians to certify patients for medical cannabis use. 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 share this responsibility.

Naturopathic Physicians are the most highly qualified experts in botanical medicine and understand the complexities of prescribing medicinal plants safely and effectively. In Naturopathic Medical School, we complete an average of 130 classroom hours of botanical medicine education. 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.

Expanding our law on this issue to include Naturopathic Physicians 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.
Steelsmith Natural Health Center
www.DrSteelsmith.com

**Testimony of the
Board of Naturopathic Medicine**

**Before the
Senate Committee on Judiciary
and
Senate Committee on Ways and Means
Wednesday, February 26, 2020
1:10 p.m.
State Capitol, Conference Room 211**

**On the following measure:
S.B. 2476, S.D. 1, RELATING TO HEALTH**

WRITTEN TESTIMONY ONLY

Chair Rhoads, Chair Dela Cruz, and Members of the Committees:

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

The purpose of this bill is to authorize naturopathic physicians with the same authority as physicians and advanced practice registered nurses to provide written certifications to qualifying patients for the medical use of cannabis.

The Board reviewed S.B. 2476 at its meeting on January 31, 2020, and noted that certifying patients for the use of medical cannabis falls within the scope of practice, education, and training of a naturopathic physician. For the Committees' information, at its meeting on May 10, 2019, the Board amended its naturopathic formulary by removing exclusionary language; however, the Board specifically noted that the removal of this language would not provide naturopathic physicians the authority to prescribe controlled substances pursuant to Hawaii Revised Statutes (HRS) chapter 329.

The Board further noted that HRS chapter 455 provides it with the authority and discretion to amend its naturopathic formulary. As page 2, lines 11 to 15 and page 9, line 20 to page 10, lines 1 to 2 of the bill restrict the Board from amending its naturopathic formulary, the Board respectfully requests deleting the following language from S.D. 1:

- Page 2, lines 11 to 15: "provided that this section 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.”

- Page 9, line 20 to page 10, lines 1 to 2: “provided that the naturopathic formulary shall not include any narcotic drugs or other controlled substances, as defined in section 329-1.”

By removing this language, the Board will have full discretion to amend its naturopathic formulary and to provide written certification for the medical use of cannabis, while keeping the prescriptive authority of “narcotic drugs or other controlled substances” in the appropriate sections of HRS chapter 329.

Thank you for the opportunity to testify on this bill.

SB-2476-SD-1

Submitted on: 2/25/2020 11:15:13 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

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

Comments:

To: Senator Karl Rhoads, Chair

**Senator Jarrett Keohokalole, Vice Chair
Committee on Judiciary**

Senator Donovan M. Dela Cruz, Chair

**Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means**

From: Dr. Kelsey Becker, LLC, Hilo

Re: SB2476, SD1, Relating to Medical Cannabis

February 26, 2020, at 1:10 pm, Conference Room 211

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.

Naturopathic medical schools are accredited and are recognized by the United States Department of Education. Botanical medicine is taught in a series of courses that build upon each other through an ND's four-year, science-based medical 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.

Botanical medicine, is the science and practice of using medicinal plants and their 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. Many plants contain multiple active constituents that work as a whole or can be isolated through laboratory measures. Botanical medicines may interact with prescription drugs in positive or negative ways and they may have dose-dependent toxicities.

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

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. Naturopathic doctors also know how to utilize this plant medicine in conjunction with other therapies for effective alleviation of symptoms and healing of disease.

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 depression to gastrointestinal discomfort to pain and anxiety. During medical school, NDs complete an average of 130 classroom hours of botanical medicine education and even more in clinical rotations.

Botanical medicine is a cornerstone of natural medicine and 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

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.

Thank you for the opportunity to testify in support of this measure.

Sincerely,

Kelsey Becker, ND

SB-2476-SD-1

Submitted on: 2/25/2020 11:08:36 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
danika odama	Individual	Support	No

Comments:

I support this bill to authorizes naturopathic physicians with the same authority as physicians and advanced practice registered nurses in regards to providing written certifications to qualified patients for the medical use of cannabis. Medical marijuana is an important alternative to offer patients from a pain management perspective. It also has beneficial effects on many other conditions and has a good safety profile with low risk for addictions and adverse effects.

Given the limited number of primary care providers in Hawaii, allowing naturopathic physicians to prescribe medical marijuana can help fill the gap in health care providers to serve more of our residents.



KLEIN NATURAL

HEALTH AND WELLNESS CENTER

To: Senators Karl Rhoads & Donovan M. Dela Cruz,, Chairs
Senators Jarrett Keohokalole & Gilbert S.C. Keith-Agaran, Vice Chairs
Members of the House Committee on Judiciary & Committee on Ways and Means

From: Rachel M. Klein, ND, DC, DACNB, FIBFN-CNDH
Klein Natural Health and Wellness Center
2070 Kilauea Ave., Hilo, Hawai'i

Re: SB2476, SD1, Relating to Health
February 26, 2020, at 1:10 pm, Conference Room 211

Position: **SUPPORT**

I strongly support the proposed legislation that would allow Naturopathic Physicians to certify a qualifying 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.

Naturopathic Physicians are experts in the use of botanical medicines, and in their interactions with other medications and nutraceuticals. In Hawai'i, there are many patients for whom their primary care provider is a Naturopathic Physician. For these patients, having one provider managing their prescriptions and their cannabis certification would reduce possible problems.

I would, however, like to respectfully request and support consideration of an amendment to remove the following language from the noted sections:

Section 2 – “provided that this section 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.”

Section 9 – “provided that the naturopathic formulary shall not include any narcotic drugs or other controlled substances, as defined in section 329-1.”

The reason for this, is that I am concerned that with its existing language, this bill would be in conflict with the current way the Naturopathic formulary is managed in the state of Hawai'i, which is under the purview of our State Board of Naturopathic Medicine. I strongly support the removal of this language as I fear leaving it in could call the Board's authority into question in the future.

Overall, allowing Naturopathic Physicians to certify patients for Medical Cannabis use is safe and would increase access for qualifying patients and decrease the burden on the existing certifiers.

For these reasons I ask that you pass this measure with the amendments requested above. Thank you for your time and attention to this matter,

Dr. Rachel M. Klein

SB-2476-SD-1

Submitted on: 2/25/2020 12:59:04 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Kern	Individual	Support	No

Comments:

SB-2476-SD-1

Submitted on: 2/25/2020 1:02:19 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Pomeroy	Individual	Support	No

Comments:

To: Senator Karl Rhoads, Chair

**Senator Jarrett Keohokalole, Vice Chair
Committee on Judiciary**

Senator Donovan M. Dela Cruz, Chair

**Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means**

From: Katherine Pomeroy, ND

Re: SB2476, SD1, Relating to Medical Cannabis

February 26, 2020, at 1:10 pm, Conference Room 211

Position: STRONG SUPPORT

The decision to allow NDs (or any primary care physician or APRN) to prescribe Cannabis is difficult in part because Cannabis doesn't belong on Schedule I. The flawed Schedule I status adds an significant layer of complication to this legislation.

"The current system for classifying illegal (and most legal) drugs is flawed, outdated and unscientific. Established by the federal Controlled Substances Act (CSA) of 1970, the Schedule of Controlled Substances erroneously places marijuana in the most restrictive

class, Schedule I, reserved for drugs with a “high potential for abuse,” “no currently accepted medical use” and a “lack of accepted safety.”

Marijuana should be removed from the Schedule of Controlled Substances because it has limited potential for abuse, established medical uses, and is safe relative to other substances. De-scheduling marijuana will facilitate medical research, ensure patient access, and remove federal prohibitions.” (1)

Unfortunately, we must work within the framework we have, however flawed it may currently be. This 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.

Some testimony has stated the opinion that having an ND as a sole provider would increase the chances of a misdiagnosis. It is true for all physicians that diagnostic errors are an understudied and complex area of patient safety. (2) NDs rarely are the sole provider for a patient, as we do work with other specialists, particularly for diagnostics. Furthermore, the average ND visit time frame allows for in-depth understanding of the patient, and time well spent is a factor in decreasing medical errors of all kinds. (3,4)

Thank you for your thought and effort concerning this legislation. I urge you to support it.

Sincerely,

Katherine Pomeroy, ND

References:

1. [Internet] Accessed 2020, Feb.25. Available from URL:
<http://www.drugpolicy.org/resource/removing-marijuana-schedule-controlled-substances>
2. Diagnosing Diagnosis Errors: Lessons from a Multi-institutional Collaborative Project [Internet] 2005 Feb. Available from: URL:
<https://www.ncbi.nlm.nih.gov/books/NBK20492/>
3. Aronson JK, Medication errors: what they are, how they happen, and how to avoid them. Q J Med 2009; 102:513–521.
4. Institute of Medicine (IOM). To err is human: building a safer health system. Washington, DC: National Academy Press; 2000 Nov. 312 p.

SB-2476-SD-1

Submitted on: 2/25/2020 11:51:43 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kekapala Dye	Individual	Support	No

Comments:

Please vote YES for SB 2476. I strongly support this bill.

Sincerely,

Kekapala Dye



KLEIN NATURAL

HEALTH AND WELLNESS CENTER

To: Senators Karl Rhoads & Donovan M. Dela Cruz,, Chairs
Senators Jarrett Keohokalole & Gilbert S.C. Keith-Agaran, Vice Chairs
Members of the House Committee on Judiciary & Committee on Ways and Means

From: Rachel M. Klein, ND, DC, DACNB, FIBFN-CNDH
Klein Natural Health and Wellness Center
2070 Kilauea Ave., Hilo, Hawai'i

Re: SB2476, SD1, Relating to Health
February 26, 2020, at 1:10 pm, Conference Room 211

Position: **SUPPORT**

I strongly support the proposed legislation that would allow Naturopathic Physicians to certify a qualifying 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.

Naturopathic Physicians are experts in the use of botanical medicines, and in their interactions with other medications and nutraceuticals. In Hawai'i, there are many patients for whom their primary care provider is a Naturopathic Physician. For these patients, having one provider managing their prescriptions and their cannabis certification would reduce possible problems.

I would, however, like to respectfully request and support consideration of an amendment to remove the following language from the noted sections:

Section 2 – “provided that this section 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.”

Section 9 – “provided that the naturopathic formulary shall not include any narcotic drugs or other controlled substances, as defined in section 329-1.”

The reason for this, is that I am concerned that with its existing language, this bill would be in conflict with the current way the Naturopathic formulary is managed in the state of Hawai'i, which is under the purview of our State Board of Naturopathic Medicine. I strongly support the removal of this language as I fear leaving it in could call the Board's authority into question in the future.

Overall, allowing Naturopathic Physicians to certify patients for Medical Cannabis use is safe and would increase access for qualifying patients and decrease the burden on the existing certifiers.

For these reasons I ask that you pass this measure with the amendments requested above. Thank you for your time and attention to this matter,

Dr. Rachel M. Klein

LATE

SB-2476-SD-1

Submitted on: 2/25/2020 7:34:50 PM

Testimony for JDC on 2/26/2020 1:10:00 PM

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

Comments:

Patients need access to pain management, cachexia support, and cancer care from doctors who take the time to listen and can do so without the insurance system burden of time and administrative constraints. Most Naturopathic doctors offer primary care medicine and take the time to listen and thoroughly examine. Quality care demands time, expertise and knowing when to test and/or refer. Despite the view of the Department of Health, who has never to my knowledge, even worked with our profession, Naturopathic doctors are probably less likely to miss serious illnesses for the reasons cited above.

I am a former Health Department employee and understand the Department's concern, but a concern doesn't make it true.

Please consider passing the measure to enhance the healthcare system of our state which is in dire need of more primary care doctors who can safely treat without constraints.

Aloha,

Kevin R. Gibson ND, LAc, MS

Pacific Integrative Medicine LLC

LATE

SB-2476-SD-1

Submitted on: 2/26/2020 10:05:37 AM

Testimony for JDC on 2/26/2020 1:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jaclyn moore	Testifying for Big Island Grown Dispensaries	Support	No

Comments: