

STAND. COM. REP. NO.

2493

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2718  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2718 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to exempt any person who has reached the age of sixty-five from the requirement of having a debilitating medical condition to be eligible for the use of medical cannabis.

Your Committee received testimony in support of this measure from the Hawaii Cannabis Industry Association. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that medical cannabis has been shown to have positive effects treating debilitating conditions in addition to chronic conditions, such as insomnia, anxiety, stress, and other issues. These issues have been exacerbated by the coronavirus disease 2019 pandemic, particularly in senior citizens, due to stress, anxiety, and forced isolation. The geriatric population can benefit from cannabis treatment for a variety of symptoms not already included in the list of qualified medical conditions, such as sleep difficulties, tremor, spasticity, agitation, nausea, vomiting, and reduced appetite.



This measure increases access to medical cannabis for persons sixty-five and older.

Your Committee acknowledges the testimony of the Department of the Attorney General, which offered amendments to cure technical flaws in the measure and to clarify that qualified patients aged sixty-five or older are also limited to possessing an "adequate supply" of medical cannabis, as defined by statute. Additionally, your Committee acknowledges the Department of the Attorney General's recommendation to clarify the preamble to avoid unintended age discrimination issues.

Therefore, your Committee has amended this measure by:

- (1) Clarifying section 1 to reflect that the geriatric population can benefit from medical cannabis to treat maladies that come with advanced age;
- (2) Clarifying that qualifying patients aged sixty-five or older are limited to possessing an "adequate supply" of medical cannabis;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2718, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2718, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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JARRETT KEOHOKALOLE, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB2118</b>	Committee Referral: <b>HTH, JDC</b>	Date: <b>2-14-2022</b>
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The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.				✓
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature:  
*Rosalyn H Baker*

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\*Only one measure per Record of Votes