

CONFERENCE COMMITTEE REP. NO.

157

Honolulu, Hawaii

APR 28 , 2023

RE: H.B. No. 1082  
H.D. 3  
S.D. 2  
C.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1082, H.D. 3, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Authorize the Department of Health to allow written certifications for a qualifying patient with a chronic condition to be valid for three years;
- (2) Remove the requirement that a certifying physician or advanced practice registered nurse have a bona fide physician-patient or advanced practice registered nurse-patient relationship with a qualifying patient;

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- (3) Define "waiting room" within a medical cannabis retail dispensing location and specifying who may have access to the waiting room;
- (4) Clarify the types of manufactured cannabis products that may be manufactured and distributed by medical cannabis dispensaries;
- (5) Clarify the Department of Health's rulemaking authority;
- (6) Authorize selling dispensaries to transport more than eight hundred ounces of cannabis or manufactured cannabis products to a purchasing dispensary with prior approval from the Department of Health;
- (7) Clarify that each day a violation of the medical cannabis dispensary program law occurs constitutes a separate violation;
- (8) Require medical cannabis dispensaries, in conjunction with certifying physicians and advanced practice registered nurses, to conduct the continuing education and training program for medical cannabis dispensaries, rather than the Department of Health; and
- (9) Establish the Medical and Adult Use Cannabis Working Group.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have removed the existing statutory requirement for bona fide physician-patient or advanced practice registered nurse-patient relationships;
- (2) Amending the medical cannabis dispensary program licensing fee structure;
- (3) Adding or clarifying requirements for the dispensary program related to signage, packaging, and supervision of certain personnel while onsite at retail dispensing locations or medical cannabis production centers;
- (4) Requiring the Department of Health to work in conjunction with medical cannabis dispensaries and certifying physicians and advanced practice registered nurses to conduct the continuing education and training program;



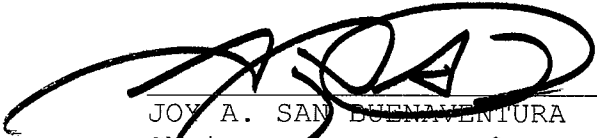
- (5) Deleting the Medical and Adult Use Cannabis Working Group;
- (6) Inserting a savings clause;
- (7) Changing the effective date to July 1, 2023; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

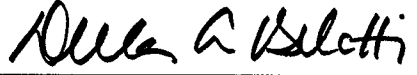
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1082, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1082, H.D. 3, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:


ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE

  
 JOY A. SAN BUENAVENTURA  
 Chair

  
 DELLA AU BELATTI  
 Co-Chair

  
 JERICK NEOHOKALOLE  
 Co-Chair

  
 MARK M. NAKASHIMA  
 Co-Chair

  
 KARL RHOADS  
 Co-Chair


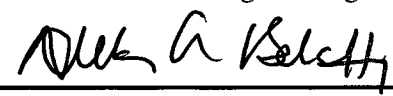
  
 LISA KITAGAWA  
 Co-Chair

  
 CHRIS LEE  
 Co-Chair



**Hawaii State Legislature**  
**Record of Votes of a**  
**Conference Committee**

**CCR157**

Bill / Concurrent Resolution No.: <b>HB 1082, HD 3, SD 2</b>					Date/Time: <b>4/28/2023 5:23 pm</b>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
SAN BUENAVENTURA, Joy A., Chr.		✓				BELATTI, Della Au, Co-Chr.		✓			
KEOHOKALOLE, Jarrett, Co-Chr.		✓				NAKASHIMA, Mark M., Co-Chr.		✓			
RHOADS, Karl, Co-Chr.		✓				KITAGAWA, Lisa, Co-Chr.		✓			
LEE, Chris, Co-Chr.		✓				PIERICK, Elijah		✓			
SHIMABUKURO, Maile S.L.		✓									
<b>TOTAL</b>		<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>TOTAL</b>		<b>4</b>	<b>-</b>	<b>-</b>	<b>-</b>
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: 						House Lead Chair's or Designee's Signature: 					
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		