

STAND. COM. REP. NO.

262

Honolulu, Hawaii

FEB 09

, 2023

RE: H.B. No. 1082  
H.D. 1

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

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 1082 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the Department of Health's rulemaking authority;
- (2) Define "waiting room" within a medical cannabis retail dispensing location and allow a member of the general public who is waiting for, assisting, or accompanying a qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient access to the waiting room;
- (3) Establish security requirements and restrictions for waiting rooms; and
- (4) Clarify that each day a violation of the State's Medical Cannabis Dispensary Program law occurs constitutes a separate violation.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Cannabis Industry

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Association, Aloha Green Holdings Inc., Green Aloha, Noa Botanicals, and Cure Oahu.

Your Committee finds that amendments are needed to the State's Medical Cannabis Dispensary Program to enhance the efficiency of the Department of Health to regulate medical cannabis dispensaries, while also improving patient and public safety. This measure helps in this endeavor by clarifying who may accompany qualifying patients in retail dispensary locations, amends the Department of Health's rulemaking authority to ensure the Department can timely respond to public health and safety concerns, and clarifies penalty provisions under the Medical Cannabis Dispensary Program to protect patient and public safety by facilitating enforcement of dispensary compliance.

Your Committee further finds that in addition to structural issues already impacting the cannabis industry nationwide, the medical cannabis market has, like many other industries, been subject to the recent impacts of inflation and labor shortage issues, within business operations and with its vendors. Your Committee therefore finds that it is important to reduce administrative barriers and assist medical cannabis dispensaries with streamlining operations and resources in order to improve patient access and education, transparency, and regulation.

Finally, your Committee finds that additional amendments to the Medical Cannabis Patient Registry Program and Medical Cannabis Dispensary Program are needed to facilitate administration of these laws, resolve various issues, and clarify legislative intent.

Accordingly, your Committee has amended this measure by:

- (1) Establishing system access and integration requirements for the computer software tracking system for medical cannabis dispensaries;
- (2) Requiring the Department of Health to submit an annual report to the Legislature on data captured using the computer software tracking system;
- (3) Amending the licensing fee structure for the Medical Cannabis Dispensary Program;



- (4) Adding or clarifying requirements for the Medical Cannabis Dispensary Program related to signage, types of permitted manufactured cannabis products, standards for packaging of cannabis and manufactured cannabis products, supervision of certain personnel who are on-site at a retail dispensing location or medical cannabis production center, and the continuing education and training program conducted by the Department of Health;
- (5) Establishing annual reporting requirements for the Department of Health regarding the Medical Cannabis Patient Registry Program and Medical Cannabis Dispensary Program;
- (6) Requiring the Department of Health to amend rules regarding the Medical Cannabis Dispensary Program pursuant to chapter 91, Hawaii Revised Statutes, if there is a likelihood of a severe economic impact on stakeholders;
- (7) Requiring the Department of Business, Economic Development, and Tourism to submit a report to the Legislature analyzing aggregated de-identified information regarding the Medical Cannabis Patient Registry Program and Medical Cannabis Dispensary Program; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1082, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



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

*DeLa A Belatti*

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DELLA AU BELATTI, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

HSCR 262

**Record of Votes of the Committee on Health & Homelessness**

<b>Bill/Resolution No.:</b> HB1082	<b>Committee Referral:</b> HLT, <del>HLA</del> PC, FIN	<b>Date:</b> 2/8/23		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	/			
2. TAKENOUCHI, Jenna (VC)	/			
3. AMATO, Terez	/			
4. ILAGAN, Greggor	/			
5. KOBAYASHI, Bertrand	/			
6. MIZUNO, John M.	/			
7. NISHIMOTO, Scott Y.	/			
8. GARCIA, Diamond	/			
<b>TOTAL (8)</b>	8			
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				