

STAND. COM. REP. NO. 453

Honolulu, Hawaii

**FEB 17 2023**

RE: S.B. No. 673  
S.D. 1

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

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 673 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 require health care facilities to allow terminally ill patients to use medical cannabis under certain conditions.

Your Committee received testimony in support of this measure from the Drug Policy Forum of Hawai'i; Cannabis Nurses Network; Marijuana Policy Project; Hawai'i Cannabis Industry Association; Aloha Green Holdings, Inc.; Noa Botanicals; and eight individuals. Your Committee received testimony in opposition to this measure from the Healthcare Association of Hawaii. Your Committee received comments on this measure from the Department of Public Safety and the Department of the Attorney General.

Your Committee finds that despite the State's legalization of cannabis for medical use, patients in health care facilities are prohibited from taking medical cannabis as part of their treatment plans. Medical cannabis has the potential to relieve pain, increase appetite, and reduce anxiety and can be used as an alternate or complementary treatment option for certain medications. Compared to other pain relief medications that may place patients in a semi-comatose state, medical cannabis allows



patients to remain conscious, enabling terminally ill patients to spend more of their limited time awake and with family and friends. To facilitate compassionate care within health care facilities, this measure requires health care facilities to allow terminally ill patients to use medical cannabis.

Your Committee further finds that, according to testimony submitted by the Department of the Attorney General, amendments to this measure are necessary to address the federal prohibition on cannabis use. Additionally, testimony submitted by the Department of Public Safety noting the everyday challenge of medication diversion for incarcerated individuals warrants the exclusion of correctional facility health care programs from this measure's definition of "health care facility".

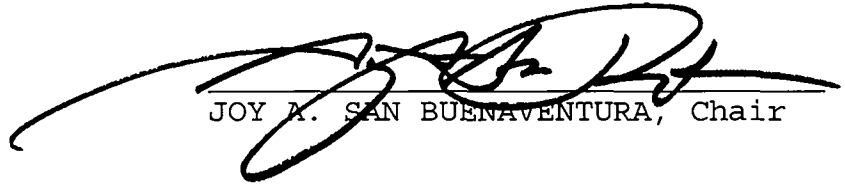
Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a health care facility may, but is not required to, allow terminally ill patients to use medical cannabis;
- (2) Clarifying that a health care facility that allows terminally ill patients to use medical cannabis may, but is not required to, adopt and disseminate a medical cannabis policy or written guidelines for the use of medical cannabis by patients;
- (3) Excluding health care programs within jails and prisons from the definition of "health care facility";
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 673, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Health and Human  
Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:* <b>SB 673</b>	Committee Referral: <b>HHS, JDC</b>	Date: <b>02/08/23</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
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
MORIWAKI, Sharon Y.				✓
SHIMABUKURO, Maile S.L.				✓
AWA, Brenton	✓			
<b>TOTAL</b>	<b>3</b>			<b>2</b>

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature:

Distribution:    
Original    
Yellow    
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**\*Only one measure per Record of Votes**