



Akamai Cannabis Consulting

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TESTIMONY ON SENATE CONCURRENT RESOLUTION 150

**REQUESTING THE GOVERNOR TO OBTAIN A CONTROLLED SUBSTANCE
EXEMPTION FROM THE DRUG ENFORCEMENT ADMINISTRATION FOR
REGISTERED MEDICAL CANNABIS PATIENTS AND REGISTRATION WAIVERS
FOR STATE-LICENSED DISPENSARIES**

Clifton Otto, MD

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

Monday, March 30, 2026, 1:07 PM
State Capitol, Conference Room 225 & Videoconference

STRONG SUPPORT

This is an important measure for medical cannabis patients and dispensaries, who must still violate federal law to participate in Hawaii's Medical Cannabis Program and suffer the consequences.

It is also a way for the Legislature to renew its commitment to protecting the State's constitutional authority over the intrastate medical use of cannabis.

And while this resolution is not binding upon the Governor, it does allow the Legislature to voice its intent that the federal situation with cannabis in Hawaii be addressed by the one person who ultimately can and should be pursuing solutions for this issue.

At the very least, there needs to be good faith public discussion about ending the discrimination that our medical cannabis patients and dispensaries face every day and protecting the intrastate medical use of cannabis, especially with federal rescheduling on the horizon.

Aloha.

SR-141

Submitted on: 3/27/2026 7:03:50 PM

Testimony for HHS on 3/30/2026 1:07:00 PM

Submitted By	Organization	Testifier Position	Testify
Courtney Kacir	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members.

I **SUPPORT** SCR 150.

Mahalo for the opportunity to testify,

Courtney Kacir, RN BSN

SR-141

Submitted on: 3/28/2026 1:34:52 PM

Testimony for HHS on 3/30/2026 1:07:00 PM

Submitted By	Organization	Testifier Position	Testify
Manolo Morales	Individual	Support	Written Testimony Only

Comments:

I support this resolution because something needs to be done about the federal situation with cannabis in Hawaii.

SR-141

Submitted on: 3/29/2026 11:05:46 AM

Testimony for HHS on 3/30/2026 1:07:00 PM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Support	Written Testimony Only

Comments:

From Wendy Gibson-Viviani BSN/RN, Cannabis Nurse Educator.

To: Committee on Health and Human Services

RE: SCR150 and SR141 Medical Cannabis; Exemption; Federal Controlled Substances Act

Dear Chair, San Buenaventura, Vice-Chair McKelvey and Members of the Committee,

Please support SCR150 and SR141 which request that Governor Green obtain an exemption from the DEA's Controlled Substances Act for Hawaii's medical cannabis patients and licensed dispensaries.

My name is Wendy Gibson-Viviani, an RN who has been a medical cannabis patient advocate in Hawaii for nearly 20 years. When I worked for the Drug Policy Forum & Medical Cannabis Coalition of Hawaii, I had to explain to medical cannabis patients why we could not help those who were in danger of being fired from their jobs because they tested positive for THC metabolites.

This is **one of many potential consequences** this patient population faces on a daily basis. It is the direct result of the State and Federal conflicts created in 2000 with Act 228. While the State recognizes the accepted medical use of cannabis, the Federal Govt still does not. The founders of Act 228 envisioned that cannabis would be treated the same as other medications and that Hawaii would be the epicenter of cannabis education and research.

While the State has created some protections for patients (and caregivers) such as providing a legal medical defense (on a State level), having an exemption from the CSA could expand patient protections.

This situation needs to be addressed and seeking an exemption may be the **most effective solution**. An exemption could improve the medical cannabis program and protect the intrastate medical use, while we wait for the DEA to decide if/when to rescheduled it from Schedule I to Schedule III (placing it alongside the prescription-- 100% THC).

An exemption may allow for better **continuity of care** for patients who need to bring their medicines with them when they travel (interisland) or are admitted to a healthcare facility.

Healthcare facility administration may be less resistant to the idea of allowing patients access, if they see a DEA approved exemption. Healthcare professionals may be allowed to touch and perhaps administer the medications.

An exemption may help open up education and research as the founders envisioned. And, if the Dispensaries benefit from an exemption, that is a direct benefit to patients.

Please support these resolutions (SCR150 and SR141) and encourage Governor Green to seek this exemption.

Thank you for the opportunity to testify on this important matter.

Wendy Gibson-Viviani BSN/RN, Cannabis Nurse Educator.

Kailua, HI

LATE

To: COMMITTEE ON HEALTH AND HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
RE: TESTIMONY ON SENATE CONCURRENT RESOLUTION 150
From: Robert Lawrence Bence
Date: 3/30/2026

Aloha Senators,

It's a long shot that the governor would act on this and that the DEA would if he did; however, please support this with the amendments I propose because patients started this and should benefit more than the dispensaries.

Cannabis has saved my life and helped me to recover from brain surgery for a random birth defect according to several doctors. I have dedicated over three decades of my life to this plant and want to see the benefits of ECS research federally legalized and Hawai'i to be a leader once again. We started as patients producing for ourselves and caregivers. The program has gone downhill since the for-profit 8 license dispensary model was enacted. Instead of only allowing US Title 21 Section 822 protections to apply to dispensaries please consider the following amendment:

Page 2 line 17 WHEREAS, to protect state-licensed dispensaries, Hawaii could apply for a federal registration waiver from the Drug Enforcement Administration, so that **dispensaries "state-authorized cannabis production participants, including micro-producers, dispensaries, registered qualifying patients, primary caregivers, and licensed hemp producers"** could commercially produce and distribute intrastate medical cannabis in compliance with state and federal law; and

Page 3 line 11 BE IT FURTHER RESOLVED that it is also requested that registration waivers from the Drug Enforcement Administration for state-licensed **dispensaries "state-authorized cannabis production participants, including micro-producers, dispensaries, registered qualifying patients, primary caregivers, and licensed hemp producers"** under Chapter 21 United States Code, section 822(d) are pursued for the intrastate production and distribution of medical cannabis; and

"Micro-producer" means a Hawai'i resident or small agricultural operation authorized under state law to cultivate, process, or transfer cannabis for medical use within Hawai'i, including but not limited to:

- Registered qualifying patients under Hawaii Revised Statutes Chapter 329;
- Primary caregivers designated pursuant to Chapter 329;

- Licensed hemp producers operating in compliance with the Agriculture Improvement Act of 2018; and
- Small-scale agricultural producers authorized by the State for medical cannabis production.

Please support this bill with the amendments to empower Hawai'i 329 patients to grow under federal DEA exemption. This bill if enacted federally would be groundbreaking please ensure the patients and farmers who built it for over two decades can benefit from federal legalized growth and distribution not just 8 for profit dispensaries granted a state oligarchy in 2015; without patient centered support this program would lack the empathy aspect of aloha that could make it the best in the world. I apologize for my late testimony.

Mahalo

Rob