
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a nationwide drug
2 epidemic exists related to pain relieving drugs that cause
3 addiction, overdose, and death. According to the National
4 Institute on Drug Abuse, an estimated 2,100,000 people in the
5 United States suffer from substance use disorders related to
6 prescription opioid pain relievers. In this State, drug
7 overdose deaths increased by eighty-three per cent from 2006 to
8 2014, a growth rate more than double the national average of
9 thirty-seven percent, according to the Centers for Disease
10 Control. By 2016 the number of drug overdose deaths rose from
11 sixty-seven in 2000 to one hundred seventy-two in 2016, as
12 reported by The Maui News. Opioid pain relievers have been
13 attributed to about forty per cent of drug overdose deaths
14 statewide over the past decade. Opioid overdose deaths doubled
15 from twenty-five in 2000 to fifty-nine in 2016. As the number
16 of people suffering and dying from substance use overdoses
17 related to pain relieving drugs, including opioid pain



1 relievers, increases steadily nationwide, Congress, state
2 legislatures, and many others are looking for different methods
3 to curb the opioid epidemic.

4 The legislature further finds that cannabidiol products are
5 not psychoactive or hallucinogenic and contain less
6 tetrahydrocannabinol, the psychoactive component in the cannabis
7 plant, than other medical cannabis products. Research conducted
8 by Professor Yasmin Hurd in her study *Early Phase in the*
9 *Development of Cannabidiol as a Treatment for Addiction: Opioid*
10 *Relapse Takes Initial Center Stage* shows that while
11 understanding the medicinal aspects of cannabinoids is only in
12 its infancy, the evidence collected so far appears to at least
13 support a potential beneficial treatment for opioid abuse. She
14 further explains that it is specific cannabinoids that hold this
15 psychiatric therapeutic promise, not the general marijuana
16 plant.

17 The purpose of this Act is to include the medical use of
18 cannabidiol products as an allowable medical use of cannabis for
19 the treatment of opioid use disorder.



1 SECTION 2. Section 329-121, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Opioid use disorder" means a problematic pattern of
5 opioid use leading to clinically significant impairment or
6 distress as manifested by symptoms identified in the most recent
7 publication of the Diagnostic and Statistical Manual of Mental
8 Disorders of the American Psychiatric Association."

9 SECTION 3. Section 329-121, Hawaii Revised Statutes, is
10 amended as follows:

11 1. By amending the definition of "cannabis" to read:

12 "Cannabis" shall have the same meaning as "marijuana" and
13 "marijuana concentrate" as provided in sections 329-1 and 712-
14 1240 [-] and shall include various forms of non-psychoactive,
15 high cannabidiol products, including in the form of a liquid,
16 capsule, or pill, that do not contain a significant amount of
17 tetrahydrocannabinol."

18 2. By amending the definition of "debilitating medical
19 condition" to read:

20 "Debilitating medical condition" means:



- 1 (1) Cancer, glaucoma, lupus, epilepsy, multiple sclerosis,
2 rheumatoid arthritis, positive status for human
3 immunodeficiency virus, acquired immune deficiency
4 syndrome, or the treatment of these conditions;
- 5 (2) A chronic or debilitating disease or medical condition
6 or its treatment that produces one or more of the
7 following:
- 8 (A) Cachexia or wasting syndrome;
9 (B) Severe pain;
10 (C) Severe nausea;
11 (D) Seizures, including those characteristic of
12 epilepsy;
13 (E) Severe and persistent muscle spasms, including
14 those characteristic of multiple sclerosis or
15 Crohn's disease; or
16 (F) Post-traumatic stress disorder; [øx]
- 17 (3) Opioid use disorder; provided that a qualifying
18 patient that is or has been diagnosed with opioid use
19 disorder shall be eligible for the medical use of only
20 non-psychoactive, high cannabidiol products that do



1 not contain a significant amount of
2 tetrahydrocannabinol; or
3 [~~(3)~~] (4) Any other medical condition approved by the
4 department of health pursuant to administrative rules
5 in response to a request from a physician or advanced
6 practice registered nurse or potentially qualifying
7 patient."
8 3. By amending the definition of "medical use" to read:
9 "Medical use" means the acquisition, possession,
10 cultivation, use, distribution, or transportation of cannabis or
11 paraphernalia relating to the administration of cannabis to
12 alleviate the symptoms or effects of a qualifying patient's
13 debilitating medical condition. In the case of opioid use
14 disorder, "medical use" means the acquisition, possession,
15 cultivation, use, distribution, or transportation only of
16 various forms of non-psychoactive, high cannabidiol products
17 that do not contain a significant amount of tetrahydrocannabinol
18 to alleviate the symptoms or effects of a qualifying patient's
19 opioid use disorder. For the purposes of "medical use", the
20 term distribution is limited to the transfer of cannabis and
21 paraphernalia."



1 SECTION 4. Section 329-122, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) The authorization for the medical use of cannabis in
4 this section shall not apply to:

5 (1) The medical use of cannabis that endangers the health
6 or well-being of another person;

7 (2) The medical use of cannabis:

8 (A) In a school bus, public bus, or any moving
9 vehicle;

10 (B) In the workplace of one's employment;

11 (C) On any school grounds;

12 (D) At any public park, public beach, public
13 recreation center, recreation or youth center; or

14 (E) At any other place open to the public; provided
15 that a qualifying patient, primary caregiver, or
16 an owner or employee of a medical cannabis
17 dispensary licensed under chapter 329D shall not
18 be prohibited from transporting cannabis or any
19 manufactured cannabis product, as that term is
20 defined in section 329D-1, in any public place;
21 provided further that the cannabis or



Report Title:

Cannabis; Cannabidiol Products; Opioid Use Disorder

Description:

Includes the medical use of cannabidiol products as allowable medical uses of cannabis for opioid use disorder.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

