



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in OPPOSITION to H.B. 2633 H.D. 2
RELATING TO CANNABIS FOR MEDICAL USE**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: Wednesday, February 19, 2020 Room Number: 308

1 **Fiscal Implications:** Unable to determine at this time.

2 **Department Testimony:** The Department of Health (DOH) appreciates the intent of this
3 measure to improve patient access by amending the State's medical cannabis dispensary system
4 to authorize licensed dispensaries to distribute cannabis propagules and cuttings, however, DOH
5 OPPOSES HB2633 for following reasons:

6 (1) **Does not appear to comport with the Legislature's intent in establishing the regulated**
7 **statewide dispensary system.** In 2015, the Hawaii Legislature established a statewide
8 dispensary system for qualifying patients who lacked the ability to grow their own supply of
9 cannabis. Authorizing licensed dispensaries to distribute propagules or cuttings to allow
10 patients to grow cannabis plants appears to be a departure from the Legislature's intent of
11 establishing a dispensary system for patients who are unable to grow cannabis plants.

12 (2) **Potential for patients to exceed their statutory limit of medical cannabis.** "Adequate
13 supply" is defined in section 329-121, HRS, as an amount not to exceed "ten cannabis plants,
14 whether immature or mature, and four ounces of usable cannabis at any given time."

15 Although a patient or caregiver's home-grown plants are required to be tagged with the

1 patient's registration number, home grow plant counts are not tracked within the state's
2 electronic seed-to-sale tracking system. HB2633 would allow a patient to acquire up to ten
3 propagules or cuttings every thirty days, in addition to any home grow plants, creating the
4 potential for patients to exceed their statutory plant count limits.

5 **(3) Risk for encouraging the illegal cannabis market.** Allowing the sale of propagules and
6 cuttings with no means to track these could tempt the diversion of legally obtained cannabis
7 intended for medical use to other than registered patients. This could significantly jeopardize
8 public health and safety.

9 Thank you for the opportunity to testify on this measure.

HB-2633-HD-2

Submitted on: 2/18/2020 11:36:23 AM

Testimony for FIN on 2/19/2020 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Community Alliance on Prisons	Support	No

Comments:

Aloha Chair Luke, Vice Chair Cullen & Members of the Committee:

Community Alliance on Prisons supports HB 2633 HD2 to allow dispensaries to distribute cuttings to eligible patients. This is ancient medicine that helps people suffering from the side effects of narcotics.

Please support HB 2633 and our suffering people!



February 17, 2020

To: Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Chris Cole, Director of Product Development, Maui Grown Therapies

Re: TESTIMONY IN SUPPORT OF HOUSE BILL 2633 HD2

Maui Grown Therapies (MGT) is licensed by the Department of Health pursuant to HRS 329D to cultivate, manufacture and dispense medical cannabis and medical cannabis manufactured products to qualifying patients on Maui.

MGT **supports** House Bill 2633 HD2, which would improve patient access to affordable, quality assured medical cannabis by allowing licensed dispensaries to supply genetic material needed for safe and reliable home cannabis cultivation.

MGT strongly supports the right of registered patients to cultivate their own medical cannabis plants at home in accordance with applicable laws and regulations. Indeed, **the medical dispensary system created by the legislature in 2015 did not intend to sunset the ability for qualified patients to cultivate a limited number of cannabis plants for their personal use*** (although the law clearly established sunset provisions for caregivers in anticipation of the dispensary system ultimately meeting the needs of qualified patients for safe, laboratory tested products).

MGT production staff is generally available to registered patients seeking to learn how to maintain a healthy garden at home; how to identify and control common pests; and how to avoid microbial contamination when processing and storing harvested cannabis.

* Act 241 SLH 2015:

"SECTION 1. The legislature finds that Hawaii's medical use of marijuana law was enacted on June 14, 2000, as Act 228, Session Laws of Hawaii 2000, to provide medical relief for seriously ill individuals in the State. While the current law recognizes the beneficial use of marijuana in treating or alleviating pain or other symptoms associated with certain debilitating illnesses, it is silent on how patients can obtain medical marijuana if they or their caregivers are unable to grow their own supply of medical marijuana. The legislature further finds that many of the State's nearly thirteen thousand qualifying patients lack the ability to grow their own supply of medical marijuana due to a number of factors, including disability and limited space to grow medical marijuana. As a result, a regulated statewide dispensary system for medical marijuana is urgently needed by qualifying patients in the State." (*emphasis added*)

Maui Grown Therapies
44 Pa'a St., Kahului, HI 96732
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Patients frequently ask if they can purchase cuttings, seeds or other propagative material from MGT. Unfortunately, because propagative material is not included on the list of products licensed dispensaries may manufacture and distribute, we are unable to meet their needs – leaving patients with no alternative other than to turn to the illicit market to obtain questionable and often mislabeled genetics to propagate their gardens.

By allowing dispensaries licensed under HRS 329D to dispense cuttings and other propagative material to registered medical cannabis patients, House Bill 2633 HD2 would establish a legal, transparent channel for the distribution of such products. Furthermore, because propagative material dispensed by licensed dispensaries would be subject to mandatory testing by an independent laboratory for the presence of contaminants, House Bill 2633 HD2 ensures 329 cardholders who wish to cultivate their medical cannabis at home have a source of safe, quality-assured plant material.

Mahalo for your consideration.

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Submitted on: 2/16/2020 5:34:02 PM

Testimony for FIN on 2/19/2020 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Miles W. Tuttle	Kush Hawai'i	Support	No

Comments:

HB-2633-HD-2

Submitted on: 2/18/2020 3:57:35 PM

Testimony for FIN on 2/19/2020 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Gibson	Individual	Support	No

Comments:

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee,

Please support HB2633 to allow medical cannabis dispensaries to sell seeds and cuttings to medical cannabis patients. Since 2000, patients have been allowed to grow their own medicines and the law has been silent on where the patients are allowed to buy their seeds or cuttings. Products such as these should be simple to label, tag and track and will help patients find the right strains to address their specific medical needs.

Mahalo for your attention to this important bill.

Wendy Gibson-Viviani RN/BSN

Member: American Cannabis Nurses Association

Palolo

HB-2633-HD-2

Submitted on: 2/16/2020 8:27:27 AM

Testimony for FIN on 2/19/2020 4:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Gelert	Individual	Oppose	No

Comments: