
A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS RESEARCH.

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

1 SECTION 1. The legislature recognizes that the use of
2 medical cannabis warrants further research. As with other
3 medications, this is done by conducting formal peer-reviewed
4 research that investigates the chemical composition and
5 therapeutic effects of medical cannabis in a controlled pre-
6 clinical and clinical laboratory setting. It is also important
7 that research be conducted on the unique strains of cannabis
8 that have been developed in Hawaii.

9 The purpose of this Act is to establish a three-year pilot
10 medical cannabis research program in the State to provide a
11 means by which a team of qualified researchers could undertake
12 medical cannabis research involving local qualifying medical
13 cannabis patients under the protection of state law.

14 SECTION 2. (a) There is established in the department of
15 public safety a pilot medical cannabis research program. An
16 individual or organization seeking to conduct a medical cannabis
17 research project shall register pursuant to application with the



1 narcotics enforcement division of the department of public
2 safety.

3 No individual participating in the pilot medical cannabis
4 research program shall have a criminal record. The department
5 of public safety may conduct criminal background checks on
6 employees and staff of any individual or organization that
7 registers to conduct medical cannabis research through the pilot
8 program.

9 Upon approval of an application, the department of public
10 safety shall issue a permit to the applicant to conduct medical
11 cannabis research under the pilot program. The department may
12 charge a one time fee of \$3,000 to cover costs of the State for
13 overseeing the licensing process over the period of the pilot
14 program. The individual or organization shall submit an annual
15 report on the purpose, status, and results of all completed and
16 ongoing studies to the department.

17 (b) Any individual or organization conducting research
18 under the pilot program pursuant to this Act shall be
19 responsible for providing and maintaining a dedicated research
20 facility and may be funded by public or private sources.

21 All cultivation of cannabis for research under the pilot
22 program shall take place in an enclosed, secured facility. All



1 facilities containing inventories of cannabis shall be equipped
2 with twenty-four hour indoor and outdoor video surveillance with
3 digital archiving capability and a fully operational security
4 system to deter and prevent unauthorized entrance. Access to
5 these facilities shall be limited to the principal researcher
6 and employees of the research facility, when acting in their
7 official capacity, and qualifying patients participating in the
8 research program who have registered the individual or
9 organization conducting the research as a primary caregiver in
10 accordance with subsection (d).

11 Upon twenty-four hour written notice, staff from the
12 department of public safety may inspect the premises of any
13 research facility.

14 (c) Research protocols that involve human subjects shall:

15 (1) Receive approval from an institutional review board;

16 and

17 (2) Comply with all provisions of part IX of chapter 329.

18 For the purpose of this section, "institutional review
19 board" means an institutional review board established in
20 accordance with Title 7 Code of Federal Regulations Section
21 1c.107, Title 10 Code of Federal Regulations Section 745.107,
22 Title 14 Code of Federal Regulations Section 1230.107, Title 15



1 Code of Federal Regulations Section 27.107, Title 16 Code of
2 Federal Regulations Section 1028.107, Title 21 Code of Federal
3 Regulations Section 56.107, Title 22 Code of Federal Regulations
4 Section 225.107, Title 24 Code of Federal Regulations Section
5 60.101, Title 28 Code of Federal Regulations Section 46.107,
6 Title 32 Code of Federal Regulations Section 219.107, Title 34
7 Code of Federal Regulations Section 97.107, Title 38 Code of
8 Federal Regulations Section 16.107, Title 40 Code of Federal
9 Regulations Section 26.107, Title 45 Code of Federal Regulations
10 Section 46.107, Title 45 Code of Federal Regulations Section
11 690.107, or Title 49 Code of Federal Regulations Section 11.107.

12 (d) Each qualifying patient participating in the research
13 program shall register the individual or organization conducting
14 the applicable research as the patient's primary caregiver. The
15 number of cannabis plants jointly possessed by qualifying
16 patients participating in the research program and the
17 individual or organization conducting the research project shall
18 not exceed an adequate supply for each patient, as defined in
19 section 329-121, Hawaii Revised Statutes.

20 (e) Participants conducting research under the pilot
21 program may begin to possess and grow cannabis plants as soon as



1 the potential study protocol has received institutional review
2 board approval.

3 (f) An individual or organization conducting research
4 under the pilot program may accept cannabis plants and seeds for
5 study from a qualifying patient participating in the pilot
6 program who has registered the individual or organization as the
7 patient's primary caregiver in accordance with subsection (d).

8 (g) At any time following a sixty-day written notice for
9 violation of any provision of this section, the director of
10 public safety may terminate or void a permit for medical
11 cannabis research under the pilot program.

12 (h) Notwithstanding section 329-123, Hawaii Revised
13 Statutes, there shall be not more than patients for each
14 primary caregiver at any given time for purposes of the pilot
15 program.

16 (i) The pilot medical cannabis research program shall
17 cease operation on December 31, 2014.

18 SECTION 3. This Act shall take effect on July 1, 2011;
19 provided that this Act shall be repealed on December 31, 2014.

20



Report Title:

Medical Cannabis; Research Program

Description:

Establishes a 3-year pilot medical cannabis research program in the State to provide a means by which a team of qualified researchers would undertake medical cannabis research involving local qualifying medical cannabis patients. Sunsets 12/31/14.
(SD1)

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

