
A BILL FOR AN ACT

RELATING TO MARIJUANA.

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

1 SECTION 1. Section 329-121, Hawaii Revised Statutes, is
2 amended by amending the definition of "written certification" to
3 read as follows:

4 ""Written certification" means the qualifying patient's
5 medical records or a statement signed by a qualifying patient's
6 physician, who may be a primary care or specialist physician who
7 meets the definition of "physician" as used in this part,
8 stating that in the physician's professional opinion, the
9 qualifying patient has a debilitating medical condition and the
10 potential benefits of the medical use of marijuana would likely
11 outweigh the health risks for the qualifying patient. The
12 department of health may require, through its rulemaking
13 authority, that all written certifications comply with a
14 designated form. "Written certifications" are valid for only
15 one year from the time of signing."

16 SECTION 2. Section 329-123, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:



1 "(b) Qualifying patients shall register with the
2 department of health. The registration shall be effective until
3 the expiration of the certificate issued by the department of
4 health and signed by the physician. Every qualifying patient
5 shall provide sufficient identifying information to establish
6 the personal identities of the qualifying patient and the
7 primary caregiver. If a certification form provided by the
8 department to a patient who registers pursuant to this
9 subsection requires a qualifying patient to consent to allow the
10 patient's physician to release any protected health information,
11 the form shall specify that the consent shall apply to the
12 patient's primary care or specialist physician; provided that
13 the physician shall meet the definition of "physician" as used
14 in this part. Qualifying patients shall report changes in
15 information within ten working days. Every qualifying patient
16 shall have only one primary caregiver at any given time. The
17 department of health shall issue to the qualifying patient a
18 registration certificate, and shall charge \$35 per year."

19 SECTION 3. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:

Garth Iversen

JAN 26 2015



H.B. NO. 993

Report Title:

Medical Marijuana; Patients; Registration; Physicians

Description:

Clarifies that a primary care or specialist physician may make the "written certification" necessary for medical use of marijuana. Requires that a certification form provided by DOH to register a medical marijuana patient and provide the patient's consent for the release of medical information shall specify that the consent applies to information from a primary care or specialist physician.

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