A BILL FOR AN ACT
RELATING TO MARIJUANA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

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

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

SECTION 2. Section 329-123, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:
"(b) Qualifying patients shall register with the department of health. The registration shall be effective until the expiration of the certificate issued by the department of health and signed by the physician. Every qualifying patient shall provide sufficient identifying information to establish the personal identities of the qualifying patient and the primary caregiver. If a certification form provided by the department to a patient who registers pursuant to this subsection requires a qualifying patient to consent to allow the patient's physician to release any protected health information, the form shall specify that the consent shall apply to the patient's primary care or specialist physician; provided that the physician shall meet the definition of "physician" as used in this part. Qualifying patients shall report changes in information within ten working days. Every qualifying patient shall have only one primary caregiver at any given time. The department of health shall issue to the qualifying patient a registration certificate, and shall charge $35 per year."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.
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 Statutory material to be repealed is bracketed and stricken.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: [Signature]

JAN 26 2015
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.

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