

STAND. COM. REP. NO.

231

Honolulu, Hawaii

February 8, 2019

RE: H.B. No. 673
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 673
entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow naturopathic physicians and physician assistants to issue written certificates for the medical use of cannabis;
- (2) Create a mechanism for the voluntary or involuntary transfer of an individual dispensary license;
- (3) Allow qualifying patients to use medical marijuana in private rooms or residences located in a state-licensed assisted living facility;
- (4) Allow for up to two manufacturing or processing facilities separate from the dispensary's production center limit, provided that such manufacturing and processing facilities are subject to all requirements regulating dispensary facilities;



- (5) Allow dispensaries to operate on state and federal holidays;
- (6) Allow dispensaries to purchase medical cannabis and manufactured cannabis from another dispensary in the event of crop failure that could affect patient access;
- (7) Allow the Department of Health to develop a process that allows for remediation and manufacture of any batch of cannabis or manufactured cannabis that fails testing standards, provided the final cannabis or manufactured cannabis product passes testing standards; and
- (8) Allow dispensaries to sell edible cannabis or cannabidiol products.

The Hawai'i Educational Association for Licensed Therapeutic Healthcare, Hawaii Society of Naturopathic Physicians, Drug Policy Forum of Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and numerous individuals provided testimony in support of this measure. One individual provided testimony in opposition of this measure. The Department of the Attorney General, Department of Health, Department of Public Safety, Hawaii Medical Board, Board of Naturopathic Medicine, Noa Botanicals, Maui Grown Therapies, and two individuals provided comments.

Your Committee has amended this measure by:

- (1) Adding language clarifying that a sale or transfer of an individual dispensary license is subject to approval by the Department of Health, and that such transfers may only be made to an individual who has been a resident of the State for no less than five years preceding the date of application;
- (2) Removing language granting naturopathic physicians prescriptive authority;
- (3) Removing language requiring state-licensed assisted living facilities to permit qualifying patients to use medical cannabis in private rooms or residences;



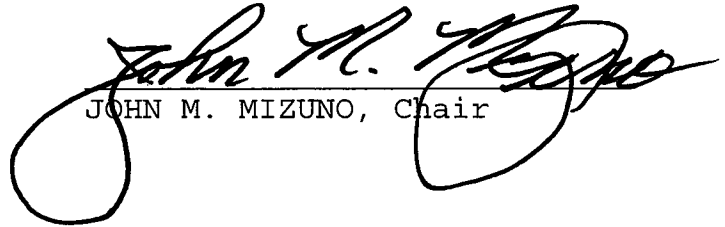
- (4) Adding language clarifying requirements for manufacturing or processing facilities and extending criminal trespass regulations to cover these facilities;
- (5) Clarifying that dispensary-to-dispensary sales are subject to all data collection and tracking requirements of the Department of Health's computer software tracking systems;
- (6) Adding language that requires the purchasing dispensary in a dispensary-to-dispensary transaction to dispose of or destroy any failed crops and to provide documentation of said destruction;
- (7) Removing language creating a remediation process for cannabis products that fail testing standards;
- (8) Adding language requiring any edible cannabis products to be produced in a commercial kitchen dedicated solely to the production of edible cannabis products;
- (9) Adding language clarifying that dispensaries may sell third-party cannabidiol products, provided such products are appropriately labeled and the dispensaries ensure such products meet all laboratory standards and other requirements of state law;
- (10) Changing the effective date to July 1, 2050, to promote further discussion; and
- (11) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the Department of Health's concerns with respect to dispensary-to-dispensary sales and the sale of edible cannabis products.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 673, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Health,


JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 231

Record of Votes of the Committee on Health

Bill/Resolution No.: <i>HB 673</i>	Committee Referral: <i>HLT, JUD, FIN</i>	Date: <i>2-5-19</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. KOBAYASHI, Bertrand (VC)		✓		
3. BELATTI, Della Au	✓			
4. NAKAMURA, Nadine K.	✓			
5. SAN BUENAVENTURA, Joy A.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane		✓		
8. WARD, Gene			✓	
TOTAL (8)	<i>4</i>	<i>2</i>	<i>1</i>	<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ <div style="text-align: center; margin-top: 10px;"><i>[Signature]</i></div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				