



STATE OF HAWAII
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Written Only

**Testimony in SUPPORT of H.B. 2097 H.D.2, S.D.1
RELATING TO MEDICAL CANNABIS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: Tuesday, June 30, 2020

Room Number: 016

1 **Fiscal Implications:** Cannot be determined at this time but additional staffing resources would
2 be required in the near future.

3 **Department Testimony:** The Department of Health (DOH) appreciates the direction of this bill
4 and SUPPORTS the proposals to:

5 (1) Authorize DOH to allow remediation of cannabis or manufactured cannabis products that fail
6 testing;

7 (2) Authorize licensed dispensaries to manufacture and distribute edible cannabis products under
8 certain conditions; and

9 (3) Authorize DOH to allow licensed dispensaries to provide educational and scientific
10 information and sponsor events related to medical cannabis.

11 Allow us to address each one separately.

12 **(1) Remediation** – DOH supports the language proposed in the amendment to section 329D-8,
13 HRS (page 3, lines 4-6), which clarifies DOH's authority to consider processes that may
14 allow cannabis or manufactured cannabis products that fail testing standards to be
15 remediated. The DOH is currently allowing remediation in specific circumstances and the

1 proposed language clarifies that DOH is authorized to adapt appropriate standards based on
2 current science and best practices.

3 **(2) Edibles** – DOH supports the statutory authority for the department to establish a medical
4 cannabis edibles program. Please see, below, DOH's recommended edits to this bill. DOH's
5 overwhelming concern on all cannabis products, including edibles, is ensuring patient and
6 product safety. As demonstrated by the nationwide outbreak of vaping-related lung illnesses
7 which continue to occur, unregulated products pose a significant risk of morbidity and
8 mortality among previously healthy individuals and medical cannabis patients are certified as
9 having a debilitating medical condition. Lessons learned from the vaping-related illnesses,
10 coupled with lessons learned on edible products from other jurisdictions, puts DOH in a good
11 position to be able to exercise the authority to approve all manufactured cannabis products
12 and require such products to meet all the requirements of rules adopted pursuant to chapter
13 329D, HRS. However, in the near future, DOH will need additional staffing resources to
14 properly maintain adequate oversight over an additional type of manufactured product.

15 However, **DOH requests the following alternate language (underlined) for the**
16 **proposed amendments under SECTION 4 amending section 329D-10, HRS:**

17 Clarifying that DOH may authorize edible cannabis products (page 5, lines 13-15):

18 “and (10) Other products, including edible cannabis products, as specified by the
19 department.”

20 And clarifying that edible cannabis products are neither a drug, nor a food, nor
21 bottled beverage and should not be regulated as such (page 5, lines 19-21; page 6,
22 lines 1-3):

1 (c) As used in this section, “edible cannabis products” means manufactured
2 cannabis products intended for gastrointestinal administration of any cannabinoid
3 extracted from the cannabis plant and regulated as manufactured cannabis
4 products and not as a “drug” or “food” as defined and regulated in chapter 328,
5 HRS, or as “bottled water” as defined and regulated in chapter 328D, HRS.”

6 **(3) Education** - DOH supports the language proposed in the amendment to section 329D-11,
7 HRS (page 8, lines 15-18), which clearly states DOH’s authority to allow dispensaries to
8 provide, disseminate, and publish educational and scientific materials to ensure that youth are
9 not targeted.

10 Thank you for the opportunity to provide testimony on this measure.