



Akamai Cannabis Clinic

3615 Harding Ave, Suite 304
Honolulu, HI 96816

July 12, 2020

The Honorable David Y. Ige Governor
Executive Chambers, State Capitol
415 S Beretania Street
Honolulu, HI 96813

COMMENTS ON HB2097 HD2 SD2

Dear Governor Ige,

You have before you HB2097 HD2 SD2 – Relating to Medical Cannabis, which would allow the Department of Health to formally recognize the practice of remediation by dispensaries, allow dispensaries to sell “edible” manufactured cannabis products, and allow dispensaries to provide scientific and medical education on the medical use of cannabis directly to patients and the public.

I respectfully ask that you seriously re-consider allowing this measure to become law.

I have several substantiated concerns about the department’s ability to adequately regulate the dispensary program, and I believe that no additional activities should be authorized for dispensaries until certain changes are made to protect the safety of our medical cannabis patients.

First, require the department to immediately adopt formal dispensary program administrative rules in order to reinstate Chapter 91 administrative procedures so that there can be formal rulemaking input from the public.

Second, require the department to post all dispensary violations and their remedies on its website so that dispensary compliance can be transparent to patients and the public.

And third, require the department to immediately create a Medical Cannabis Advisory Board so that the department can receive expert medical and scientific advice on potential changes to the program.

“An Accepted Medical Use Supporter”

I am submitting for your consideration my written [public testimony](#) on HB2097 HD2 SD1, which came before the Senate Committee on Judiciary on June 30, 2020.

This [committee](#) took all of one minute and six seconds to consider the ramifications of a bill that will significantly impact our patients. The serious issues I raised in my testimony were not even addressed by members of the committee despite their prior knowledge of my concerns.

The issues that I raise are not inconsequential because they have already adversely affected the safety of our patients.

Without any statutory authorization or administrative rules, the department has been allowing this process of “remediation” to occur for the past two years, resulting in products sold to patients without their knowledge made from moldy cannabis flowers that contain levels of ethanol ten times the allowable limit in Colorado. The department doesn’t even have a way to monitor ethanol levels in dispensary products because it has refused to adopt rules that would place limits on levels of this solvent in manufactured products.

In addition, when was the last time you needed your metformin, or your losartan, or your simvastatin in cookie form to improve effect and compliance? Allowing dispensaries to produce whatever kind of ingested cannabis product they like, without a demonstrated history of effective regulatory oversight, will only result in additional patient safety issues.

Edibles are also the telltale sign of the recreational use industry and carry an increased risk of diversion and abuse. This is not the direction our medical cannabis program should be heading. Rather, dispensaries should be focusing on manufacturing standards for medical grade products that local medical insurance companies would be willing to reimburse in the future.

And finally, providing scientific and medical information about cannabis to patients is the domain of the certifying provider. Unfortunately, thanks to the department’s public comments when dispensaries first started opening in Hawaii, dispensary “bud-tenders” are giving medical information to patients on particular products to use for specific symptoms and medical conditions, and providing patients with detailed dosing information, without medical license.

This practice has already resulted in several of my elderly patients overdosing on concentrated THC products.

To combat this dangerous situation, Hawaii's boards of Medicine and Nursing should be required to immediately adopt standards for the practice of cannabis medicine that will ensure providers are properly qualified for providing education and certification for the medical use of cannabis in Hawaii.

For these reasons I have deep professional reservations about the provisions in this bill.

Thank you for taking the time to consider these comments, and for doing what is best for the safety of our patients.

Aloha,

A handwritten signature in black ink, appearing to be 'CO' with a horizontal line extending to the right.

Clifton Otto, MD