

JAN 22 2016

A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1 SECTION 1. The legislature finds that twenty-three states,
2 plus the District of Columbia, allow medical marijuana for its
3 residents. Four states, plus the District of Columbia, have
4 also legalized marijuana for recreational use. Through the
5 Consolidated and Further Continuing Appropriations Act of 2015,
6 Congress passed the "Rohrabacher-Farr" amendment, which
7 prohibits the Department of Justice from expending any funds to
8 enforce federal laws against the "use, distribution, possession
9 or cultivation of medical marijuana" in those states that have
10 duly enacted laws for this purpose.

11 The legislature further finds that Hawaii's medical
12 marijuana law was passed in 2000. During the 2015 regular
13 session, Hawaii's legislature approved the formation of medical
14 marijuana dispensaries that may begin operations in July 2016.
15 As Hawaii expands its medical marijuana program through the use
16 of highly regulated and monitored dispensaries, more patients
17 are expected to consider medical marijuana as a viable



1 treatment, knowing that the medicine will be regulated and
2 tested.

3 The purpose of this Act is to expand the debilitating
4 medical conditions for which medical marijuana may be authorized
5 to be used to include arthritis, anxiety, insomnia, and stress.

6 SECTION 2. Section 329-121, Hawaii Revised Statutes, is
7 amended by amending the definition of "debilitating medical
8 condition" to read as follows:

9 "Debilitating medical condition" means:

- 10 (1) Cancer, glaucoma, positive status for human
11 immunodeficiency virus, acquired immune deficiency
12 syndrome, or the treatment of these conditions;
- 13 (2) A chronic or debilitating disease or medical condition
14 or its treatment that produces one or more of the
15 following:
- 16 (A) Cachexia or wasting syndrome;
17 (B) Severe pain;
18 (C) Severe nausea;
19 (D) Seizures, including those characteristic of
20 epilepsy;



(E) Severe and persistent muscle spasms, including those characteristic of multiple sclerosis or Crohn's disease; [ex]

(F) Post-traumatic stress disorder; [ex]

(G) Arthritis;

(H) Anxiety;

(I) Insomnia; or

(J) Stress; or

(3) Any other medical condition approved by the department of health pursuant to administrative rules in response to a request from a physician or potentially qualifying patient."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2016.

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S.B. NO. 2178

Report Title:

Medical Marijuana; Debilitating Medical Condition

Description:

Allows arthritis, anxiety, insomnia, and stress to be included among the debilitating medical conditions for which medical marijuana may be authorized to be used.

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