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TESTIMONY
ON
SB 228 - RELATING TO CONTROLLED SUBSTANCES

February 18, 2015

The Honorable Josh Green
Chair
The Honorable Glenn Wakai
Vice Chair
and Members
Senate Committee on Health

The Honorable Will Espero
Chair
The Honorable Rosalyn H. Baker
Vice Chair
and Members
Senate Committee on Public Safety, Intergovernmental and Military Affairs

Chairs Green and Espero, Vice Chairs Wakai and Baker, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** SB 228 - Relating To Controlled Substances. The bill amends definitions of "marijuana" and "usable marijuana" to include hashish, tetrahydrocannabinol, and related substances, and adds definitions of "hashish" and "marijuana concentrate."

Currently, the Hawaii Revised Statutes defines "marijuana concentrate" to include "hashish," but there is no statutory definition for "hashish." This bill is necessary to provide a clear statutory definition that is generally accepted by the legal and scientific community. The "hashish" definition also follows the federal law and is used by criminalists in forensic laboratories.

Accordingly, the Department of the Prosecuting Attorney, County of Maui, **STRONGLY SUPPORTS** passage of this bill. We ask that the committees **PASS SB 228**.

Thank you very much for the opportunity to provide testimony on this bill.

Justin F. Kollar
Prosecuting Attorney

Kevin K. Takata
First Deputy



Rebecca A. Vogt
Second Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

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TESTIMONY IN SUPPORT OF SB228 – RELATING TO CONTROLLED SUBSTANCES

Justin F. Kollar, Prosecuting Attorney
County of Kaua'i

Senate Committees on Health and Public Safety, Intergovernmental and
Military Affairs
February 18, 2015, 3:30 p.m., Conference Room 414

Chairs Green and Espero, Vice Chairs Wakai and Baker, and Members of the
Committees:

The County of Kaua'i, Office of the Prosecuting Attorney, SUPPORTS SB 228 – Relating to Controlled Substances. The Bill amends definitions of "marijuana" and "usable marijuana" to include hashish, tetrahydrocannabinol, and related substances and adds definitions of "hashish" and "marijuana concentrate".

In supporting this Bill, we adopt the reasoning set forth in the testimony of the County of Maui Department of the Prosecuting Attorney.

Accordingly, we are in SUPPORT of SB228. We request that your Committees PASS the Bill.

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: jcrotteau@honolulu.gov
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 3:30:42 PM
Attachments: [SB228, Controlled Substances, Supports.pdf](#)

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Crotteau	Honolulu Police Department	Support	Yes

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: etvuong@hotmail.com
Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Friday, February 13, 2015 5:45:40 PM

SB228

Submitted on: 2/13/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Erik Vuong	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Saturday, February 14, 2015 8:05:06 AM

SB228

Submitted on: 2/14/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Support

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: bacher.robert@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Sunday, February 15, 2015 1:55:18 PM

SB228

Submitted on: 2/15/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Bacher	Green Futures	Oppose	No

Comments: This confusing bill is not helpful for patients. Please focus on finally helping patients.

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Senate Committee on Health

Senator Josh Green, MD, Chair

Senator Glenn Wakai, Vice Chair

Senate Committee on Public Safety

Senator Will Espero, Chair

Senator Rosalyn Baker, Vice Chair

Re: SB228 – Relating to Controlled Substances

Hearing: Wednesday, February 18, 2015, 3:30 pm, Room 414

From: Clifton Otto, MD

Position: **Oppose**

This bill is devoid of logic.

Resin = Hashish = Hash = Kief = the Cannabinoid containing Trichomes that have been removed from the surface of the leaves and flowers of the Cannabis plant.

Tetrahydrocannabinols (THC, CBD, CBG, etc.) are the active ingredients in the Marijuana plant that are being used for medical purposes. You cannot say that Tetrahydrocannabinols are not part of “Marijuana” or “usable Marijuana”.

That would be like saying Bagels do not contain flour. Even the federal definition of Marijuana includes the resin of the plant.

This is an attempt by law enforcement to criminalize the possession of trichomes, which are simply part of the Marijuana plant that already have medical use. If the concern is over the practice of making Marijuana concentrates using Butane gas, then restrict the commercial sale of Butane.

The DEA is currently considering a new category of “Marijuana Extracts”, in order to regulate such preparations separately in the future. It would be wise to wait on such rulemaking before adopting any new definitions of Marijuana at the state level.

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: gr8tr8@gmail.com
Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Sunday, February 15, 2015 3:57:02 PM

SB228

Submitted on: 2/15/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Yoshimoto	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: ninja01@hawaii.rr.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Sunday, February 15, 2015 5:05:52 PM

SB228

Submitted on: 2/15/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
stuart saito	Individual	Oppose	No

Comments: I OPPOSE THE AMENDMENTS, AND SPECIFICALLY ANY CANCER AND RHEUMATOLOGICAL PATIENTS NEED TO BE JUICING CANNABIS, MIXED WITH OTHER ANTI-INFLAMMATORY ROOTS AND HERBS, AND THEY NEED PLANT LIMITS OF 50 OR MORE. SB228 WOULD BAN JUICING AND OILS PROFOUNDLY NEEDED. PLUS, DO YOU WANT THE KIDS WITH SEIZURES TO HAVE TO SMOKE CANNABIS? WHAT AN ABSURD AND CRUEL IDEA.

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SB228-Controlled Substances; Marijuana; Hashish

POSITION: STRONG OPPOSITION

Chairmen Green and Espero, Vice Chairs Wakai & Baker and members of the Senate Health & Public Safety Committee.

Thank you for this opportunity to provide personal testimony in strong opposition of SB228 relating to the proposed revised definition of medical marijuana.

Since 2000, the State of Hawaii has recognized cannabis as a legal medical treatment for those with a debilitating & qualifying physical condition. *Hashish, kief, or hash is a component of the cannabis plant but more specifically are trichomes or the resin glands of the plant. It contains various tetrahydrocannabinols in an acidic form and is accountable within the state's current definition of marijuana.*

My name is Jari Sugano of Mililani, Oahu. I have served close to 20 years in the commercial agriculture field in both the private and public sectors. Before making such a change in horticultural language, may I suggest consulting with an agricultural or botany specialist at the Hawaii Department of Agriculture or UH College of Tropical Agriculture and Human Resources.

I am also the mother and caregiver of an active 6 year old girl name Maile Jen Kaneshiro who has been living daily with Dravet Syndrome. In October 2013, my daughter applied and received her Hawaii state medicinal marijuana card. She consumes a mixture of marijuana leaves for juicing, 'hashish' or the non decarboxylated form of THC-A / CBD-A, and CBD/ THC tinctures (oil) made from strains of local cannabis. Maile still suffers from seizures but the severity and quantity has subsided dramatically. Her cognitive abilities are also heightened due to her use of various cannabis products.

Modifying the definition of SB228 would limit my daughter's ability to maximize the therapeutic benefits from the whole plant and its extracts. For example, hashish, hash or kief in a non debarboxylated form (THC-A) is an effective medicine for many patients today as it lacks the psychoactive component of its decarboxylated compound tetrahydrocannabinol (THC). Many are looking to THC-A as a comparable medical treatment to cannabidiol or CBD which is quickly expanding in its medical application.

Reckless use of cannabis has greatly jeopardized the advancement of Hawaii's medical marijuana program. However, rather than penalizing the majority of patients who utilize the plants in accordance with the existing law, please re-strategize this bill accordingly.

Thank you for the opportunity to express my opposition of SB228.

SB228-Controlled Substances; Marijuana; Hashish

POSITION: STRONG OPPOSITION

Chairmen Green and Espero, Vice Chairs Wakai & Baker and members of the Senate Health & Public Safety Committee.

Thank you for this opportunity to provide personal testimony in strong opposition of SB228 relating to the proposed revised definition of medical marijuana.

My name is Reid Kaneshiro of Mililani, Oahu. I am the father and caregiver of an active 6 year old girl name Maile Jen Kaneshiro, who has been living daily with a rare and catastrophic form of epilepsy, called Dravet Syndrome.

Hashish, kief, or hash is a component of the cannabis plant but more specifically are trichomes or the resin glands of the plant. It contains various tetrahydrocannabinols in in acidic form and is accountable within the state's current definition of marijuana.

Over the past year, we were forced to learn how to cultivate cannabis plants, process the plant in such a way to extract the desired cannabinoids, calculate estimated dosage and deliver this state recognized form of medicine to Maile via a g-tube in her stomach.. *Hashish, hash or kief in a non debarboxylated form (THC-A) of cannabis and is an effective medicine for patients like my daughter as it lacks the psychoactive component of its decarboxylated related compound, tetrahydrocannabinol (THC). The difference between THC and THC-A is a matter of processing.* Many are looking to THC-A as a comparable medical treatment to cannabidiol or CBD which is quickly expanding in its medical application.

Patients like Maile and their medical need must be a priority this legislative session. Do not fixate on those who have abused the system to hinder forward progress which is long overdue.

Thank you for the opportunity to express my strong opposition of SB228.

Reid A. Kaneshiro, Mililani, Oahu

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: rontthi@gmail.com
Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Monday, February 16, 2015 12:23:18 PM

SB228

Submitted on: 2/16/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald Taniguchi, Pharm.D.	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: anny@me.com
Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Monday, February 16, 2015 12:51:41 PM

SB228

Submitted on: 2/16/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Turner	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: georgina808@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Monday, February 16, 2015 5:15:21 PM

SB228

Submitted on: 2/16/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Georgina Mckinley	Individual	Oppose	No

Comments: I strongly oppose SB228. This bill is an attempt to limit the choice that medical cannabis patients have in using their marijuana. Many patients dislike smoking marijuana, preferring instead to use oils, tinctures, juices, and edible products that are easier for the very sick to consume. This bill would ban all of these, which is absurd, contrary to the spirit of the law, and contrary to medical fact. Some patients may find that smoking is a better way for them to self titrate, while others find that tinctures or oils work best for them. There is no reason for legislators to dictate how this medicine should be administered.

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2/16/2015

Regarding SB228

I am a medical marijuana card holder and use cannabis butter to help manage my neuropathy pain. I am opposed to SB228 based on the needs of children, the elderly and the disabled patients who are unable to smoke their medication. For those who do not choose to smoke, oils, edibles and juices may be a much better option. These options will also eliminate the smoke that others may not want to be exposed to.

Christine Hurd

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: alohilani7@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Monday, February 16, 2015 9:02:43 PM

SB228

Submitted on: 2/16/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Alohilani Hue Sing	Individual	Oppose	No

Comments: Please oppose SB228! This bill is an unacceptable attempt to limit the choice that medical cannabis patients have in using their marijuana. Many patients dislike smoking marijuana, preferring instead to use oils, tinctures, juices, and edible products that are easier for the very sick to consume and more predictable. This bill would ban all of these, which is absurd, contrary to the spirit of the law, and contrary to medical fact. More Specifically: There is no reason to force the very sick to smoke marijuana when there are better ways for them to ingest it. There are perfectly safe ways of making all of these products. The butane hash oil that is likely the cause for concern in this case should be addressed separately in its own legislation. Individual needs vary. Some patients may find that smoking is a better way for them to self titrate, others find that tinctures or oils work best for them. There is no reason for legislators to dictate how this medicine should be administered. This bill is completely intolerable and CANNOT be allowed to pass. It is laughable to think that we would even consider forcing all of our medical marijuana patients to smoke their medicine, when much better, safer, more pleasant methods of administering it are available to them. Do not dictate how this medicine should be administered.

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: edwardkcoll@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Monday, February 16, 2015 9:49:39 PM

SB228

Submitted on: 2/16/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Coll	Individual	Oppose	No

Comments: I strongly oppose this bill. This bill is an unacceptable attempt to limit the choice that medical cannabis patients have in using their marijuana. There is no reason to force the very sick to smoke marijuana when there are better ways for them to ingest it. There is no reason for legislators to dictate how this medicine should be administered.

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 3:34:03 AM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Support

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From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: drsusott@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 8:53:35 AM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Susott, MD, MPH	Individual	Oppose	No

Comments: I strongly oppose limiting a patient's choices in how to medicate with cannabis. There are many ways to ingest and use cannabis which for some patients are more effective than smoking it. The criminalization of cannabis has cost many lives and enforcement is much more costly and dangerous than the plant itself. Cannabis has been with people for thousands of years, since the dawn of agriculture, and NO deaths have been attributed to it. Hawaii suffers under more layers of organized crime than many places and it is time to remove criminal penalties for cannabis. If you're on the wrong side of this if due, you are either uninformed, which is scary in government, or you're a crook, which is scarier.

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2/17/2015

Senate Committee on Health

Senator Josh Green, MD, Chair

Senator Glenn Wakai, Vice Chair

Senate Committee on Public Safety

Senator Will Espero, Chair

Senator Rosalyn Baker, Vice Chair

Re: **SB228 – Relating to Controlled Substances**

Hearing: Wednesday, February 18, 2015, 3:30 pm, Room 414

From: David J. Barton, MD

Position: Strongly **Oppose**

Aloha,

Here we go again.

I submit this testimony as a pain medicine physician, and medical cannabis patient advocate. The use of cannabis in pain medicine, especially non-psychoactive lower THC, high Cannabidiol plants and their derived products, is well proven and beyond any question as to safety and effectiveness, especially for those many chronic pain condition where no adequate and effective treatments otherwise exist. In addition, it has well proven its usefulness in many other areas of medicine and other disease and chronic illness processes, from cancer to the dying hospice patient. These things affect every family and citizen of the state. Everyone, either directly or indirectly!

This bill represents an unacceptable attempt to limit the choice that medical cannabis patients have in using their marijuana. It attempts to forbid and criminalize an accepted medical use of cannabis already recognized in Hawaii: Concentrates, oils, hash, and all things derived from the plant into products. It

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www.hipppc.com

would even ban juicing fresh cannabis taken in its most liberal definitions. It is just another continued attempt by non-medical trained persons to continue efforts to criminalize a medicine that has proven helpful in relieving disability, disease, and suffering, from the very young to our dying kupunas, and to criminalize tens of thousands, if not hundreds of thousands of human beings with conditions of chronic pain and disease who could potentially benefit.

The novel and important medical improvements in cannabis medicine involve the use of essential oils, made from cannabis. Most have seen the Dr Sanjay Gupta CNN piece on medical cannabis, and the dramatic improvements in children and others with seizure syndromes. Since that show, many parents in Hawaii have consulted with me and sought out this treatment for their children. They do not know much about cannabis but they want the chance to try it, and to give hope of a better life to their children.

We need to protect that right by not allowing this SB288 to become law. Others have found it helpful, and superior to other forms of cannabis, for cancer and end of life care. Most recently, I have been urging patients to obtain further relief of disease symptoms for rheumatologic disease, such as rheumatoid arthritis and Lupus, by juicing raw cannabis, which is a form of extraction, especially if made with juiced Olena (Turmeric), and other vegetables/herbs. Some Hospice/ End of life patients have found this mixture to be the **ONLY** medicine to help their pain and sleep issues, when dying, in spite of Morphine and other opioids, and all kinds of sleeper pills.

Indeed, renowned Pain Medicine and Hospice physicians, such as Dr Perry G. Fine, University of Utah, and past President of the American Academy of Pain Medicine, have determined that the edible forms of cannabis are the most effective in many conditions. He concludes in one of his most recent publications; *“Putting these pharmacologic, clinical, and societal issues together, the direction for the future resides in the development of orally administered, highly bioavailable, non-psychoactive phyto-cannabinoid products that also take advantage of the entourage effect, to provide the millions of people living with debilitating pain a comparatively safe and effective form of relief.”*

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3820295/pdf/rmmj-4-4-e0022.pdf>

This bill represents a total back sliding of medical progress. This bill wants to confine the only allowed medical use to dried leaves and buds. I spend a lot of my time urging people **NOT TO SMOKE**, or even vaporize unless needed, but to go edible and oral!

In addition, do they expect and want the kids with intractable seizures of Dravet’s Syndrome to be smoking their only effective anti-seizure medicine?

Dr Clif Otto, MD has an excellent summation and overview of the issues of this bill. I quote him here:

“As you know, hash is simply a part of the mature flower of the Cannabis plant, namely the trichomes, which can be brushed off the leaves of the flower by non-chemical means (picture attached).

The resulting material, which is approximately 65% primary cannabinoid, is currently being used by cancer patients in Hawaii to not only treat the symptoms of their disease, but also to act as a cure for their cancer.

Indeed, Cannabidiol (CBD), the primary cannabinoid in plants that are being bred to have very low THC, has proven anti-cancer properties. CBD is also being used, among other things, to treat anxiety in Schizophrenic patients, since it is non-psychoactive.

One of the problems with your bill is that it ignores the accepted medical use of hash that already exists in Hawaii. The medical use of hash cannot be removed simply because it has a higher concentration of the active ingredients in the Marijuana flower that already has currently accepted medical use in treatment in Hawaii. In fact, it is precisely this ability to concentrate the trichomes from the mature flower that lends to the medical benefits of Marijuana for certain State recognized debilitating conditions.

Another problem is that the changes to Hawaii's Uniform Controlled Substances Act that your bill would create would not be in line with how the Federal Government is currently classifying Marijuana Extracts. Perhaps you are aware that the DEA created a new category that allows Marijuana Extracts to be tracked separately from the rest of the plant (attached). This is in preparation for the manufacture of Marijuana Extracts in other countries, which will then be imported for final preparation in the United States, very similar to the way that coca and opium are currently being processed. It would be more appropriate to create the similar category of "Marijuana Extract" in Hawaii's UCSA, and then recognize the accepted medical use of Marijuana and Marijuana Extracts that already exists here in Hawaii.

Finally, your bill could also violate the Federal Interstate Commerce Clause, since it would make illegal the natural source hash that exists in a soon to be FDA approved Marijuana pharmaceutical preparation called Sativex.

If your concern is over the highly concentrated Marijuana extracts that are being made using the Butane extraction method, then a more appropriate way to address this problem would be to restrict the commercial sale of Butane in Hawaii, not to restrict a part of the Marijuana plant that already has medical use here.....

We would love to help with the development of a more appropriate solution for the control of Butane extracts in Hawaii."

Attachment links:

<http://mct.aacrjournals.org/content/6/11/2921.long>,

http://www.deadiversion.usdoj.gov/fed_regs/rules/2011/fr0705_7.htm

What advocates of this bill fail to understand is that the plant is NOT the problem. The system currently in place is the problem! Patients are forced to home-make these products because Hawaii's politicians, the state government, and the legislature refuse to listen to the will of the people and allow for their safe production and safe access through a dispensary system. 85 to 90% of voters want a dispensary system, so WHY IS IT NOT HAPPENING IMMEDIATELY.

Patients have been force to make these things on their own for decades. The state has recognized in law that cannabis is a medicine, but has refused to take it seriously and provide a safe and legal mechanism for the production and distribution of these things. It has failed to provide a legal mechanism for safe products. What is a citizenry to do when its government turns its hearts, ears, and eyes away from the people who have voted them into office?

We are all worried about people being killed or injured, and blowing up their homes using Butane methods, so let us talk about Butane and flammable products, and not the Plant. Then we will remind all that they, the Legislature and the State, have the power to fix this problem immediately by allowing these oils and concentrates to be commercially made in a regulated and safety conscious fashion, and distributed through a retail dispensary system; a process that cannot even get a legitimate discussion in the legislature.

An interesting tidbit from a LA times story (covering fires & deaths from making "honey oil") states: "Safer forms of production exist where it is sanctioned and regulated under state law. In Colorado's highly controlled market, state officials this month set forth rules requiring hash oil producers to follow the same procedures that manufacturers use to extract oils from plants to make canola oil, fragrances, food additives, pharmaceuticals and shampoo."

Yet another reason to have dispensaries w/ inspected & regulated products.

Here is the entire story:

<http://www.latimes.com/local/la-me-butane-hash-20140206,0,5499031.story#ixzz2t4hyyBxf>

Thank you for your concern and this discussion.

Sincerely,

David J. Barton, MD

Pain and Palliative Care

Waimanalo, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: spikedelic@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 10:25:43 AM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Park	Individual	Support	No

Comments: please pass this bill

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Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 11:00:35 AM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Luiten	Individual	Oppose	No

Comments: Please do NOT make this a law! The limitation this bill specifies is a gross violation of medical marijuana patients rights. Instead of making edible delivery systems illegal please do the right thing and regulate the SAFETY of butane hash oil, and require food products and tinctures to be produced in commercial kitchens comparable to other standard requirements for food and drug production. Thank you for your consideration.

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Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Tuesday, February 17, 2015 11:04:36 AM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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Hawaii's voice for sensible, compassionate, and just drug policy

COMMITTEE ON HEALTH

Senator Josh Green, Chair

Senator Glenn Wakai, Vice Chair

**COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS**

Senator Will Espero, Chair

Senator Rosalyn H. Baker, Vice Chair

Wednesday, February 18, 2015

3:30PM

Conference Room 414

State Capitol

415 South Beretania Street

**Executive Director Rafael Kennedy in
Strong Opposition – SB228 – Relating to Controlled Substances**

Aloha Chairs Green and Espero, Vice Chairs Wakai and Baker, and members of the committees,

This bill lacks a findings section, so it is not clear what the intent of the bill is meant to be. If the intent is anything other than to penalize medical cannabis patients, the bill has profound unintended consequences that need, urgently, to be addressed.

The clear effect of the bill is to remove from protection under the medical cannabis law Marijuana concentrate, which the bill defines as: “hashish, tetrahydrocannabinol, and any alkaloid, salt, derivative, preparation, compound, or mixture, whether natural or synthesized, of tetrahydrocannabinol.” Not only does this create a problematic contradiction in the law (tetrahydrocannabinol is naturally occurring in marijuana, and thus marijuana is, according to this definition, marijuana concentrate) but even if this contradiction is not a problem, this definition is

so broad as to mean, in effect, that only unprocessed smokeable marijuana is protected under the marijuana law. **This is self-evidently not in the best interest of public health or public safety.** It is not reasonable to criminalize patients for making butters, tinctures, oils, and other preparations for their own use, and forcing them instead to consume marijuana in the form of smoked cannabis.

If the rationale for this bill is fears over butane extractions of cannabis, then a wholly separate law should be passed banning the use of butane extraction methods. The bill, as written, offers nothing useful, and makes sweeping retrograde changes to the medical marijuana program that will force very sick patients to smoke. We sincerely urge you to defer this bill indefinitely. Mahalo for your consideration on this important matter.

Rafael Kennedy
Executive Director,
Drug Policy Forum of Hawaii

The Drug Policy Forum of Hawaii works to educate policymakers and the public about effective ways of addressing drug issues in Hawai'i with sensible and humane policies that reduce harm, expand treatment options, and adopt evidence-based practices while optimizing the use of scarce resources.

February 17, 2015

To: COMMITTEE ON HEALTH

Senator Josh Green, Chair

Senator Glenn Wakai, Vice Chair

To: COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Rosalyn H. Baker, Vice Chair

From: Wendy Gibson R.N.

Wednesday, February 18, 2015 3:30PM

Conference Room 414 State Capitol 415 South Beretania Street

Strong Opposition – SB228 – Relating to Controlled Substances

Dear Senate Chairs Green and Espero, Vice Chairs Wakai and Baker and committee members,

Medical cannabis patients (and physicians) need to have a variety of choices for the routes of administration for cannabis.

For some patients, smoking or vaporizing the medicine is the quickest way to get their medicine. For other patients, such as children with severe seizure disorders the best way for them to get relief is to INGEST their medicine, in the form of a concentrated oil.

There are many safe methods for making oils and tinctures.

This bill would severely limit a patient's options and take away the decision-making part of the patient-physician relationship

I am strongly opposed to SB228 for these reasons.

Thank you,

Wendy Gibson R.N.

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To: [HTHTestimony](#)
Cc: lcaldwell12@live.com
Subject: *Submitted testimony for SB228 on Feb 18, 2015 15:30PM*
Date: Tuesday, February 17, 2015 12:01:26 PM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Caldwell	Individual	Support	No

Comments:

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SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Rev. Nancy Harris	Individual	Oppose	No

Comments: Aloha, I strongly oppose SB228 in its current form. Although the definitions may be improvements in certain ways, this measure could result in banning the forms of medicine most needed by those who are very ill, such as the oils that are required by those who have cancer or epilepsy. Thank you for taking the time to read this testimony.

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Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
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SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Hawaii Cannabis Care	Hawaii Cannabis Care	Oppose	Yes

Comments: We oppose this bill... We can't take away medicine from people now. Thought we were moving forward. This is unfair. Not everyone wants to smoke. We use these oils and keif to make medicine. Please make the right choice

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Cc: rogerchristie@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 12:58:51 PM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Roger Christie	The Hawai'i Cannabis (THC) Ministry	Oppose	No

Comments: Dear Legislators, Aloha. My wife and I STRONGLY OPPOSE SB 228. Please be advised that there are much healthier ways to administer medical marijuana than smoking, although smoking should always be allowed as an option to deliver the medication for any patient. Juicing Cannabis leaves and/or flowers is described by Dr. William Courtney of Cannabis International as a "dietary essential". Please watch his short Youtube video called LEAF for details. At the THC Ministry we administered Cannabis in many ways including by tincture, tea, vapor and topically as holy anointing oil described in Exodus 30:23. We 'anointed the head with oil' to get the Cannabis mixture into the brain and the blood by applying it to the crown chakra according to the ancient recipe and method. Mark 6:13 says, "And they cast out many demons, and anointed with oil many that were sick and healed them." We ask that you allow this time-honored method (and many others, known and unknown) to be recognized as completely legal now and forever as the free will choice of each patient and person. " ... and the leaves of the (Cannabis hemp) tree of life are for healing the nations. No longer will there be any curse." Revelation 22:2-3 Please OPPOSE SB 228. Thank you. Roger and Share Christie www.thc-ministry.org www.the-last-marijuana-trial.com @ @ @

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Hawaii's Voice for Sensible, Compassionate, and Just Drug Policy

TO: SENATE COMMITTEE ON HEALTH
SENATE COMMITTEE OF PUBLIC SAFETY, INTERGOVERNMENTAL
& MILITARY AFFAIRS

FROM: PAMELA LICHTY, M.P.H., PRESIDENT

DATE: FEBRUARY 18, 2015, 3:30 p.m., ROOM 414

RE: S.B. 228 RELATING TO CONTROLLED SUSTANCES – **IN OPPOSITION**

Good afternoon, Chair Green, Chair Espero, and members of the Committee. My name is Pam Lichty and I'm President of the Drug Policy Action Group (DPAG), the government affairs arm of the Drug Policy Forum of Hawaii.

We strongly oppose what we think is the intent of SB 2402. It seems as though it's an attempt to limit the types of cannabis preparations that a registered medical marijuana patient can legally use. This is a bad idea for a number of reasons.

We believe the intent of this bill might be to prevent the manufacture of hashish oil, known as "honey oil," using butane and an open flame. This dangerous practice resulted in a death on Hawaii Island last year. Instead of the indirect approach here, which has unintended consequences, this practice could be outlawed specifically. And, if and when, Hawaii puts a dispensary law into place, they could require any oils to be produced as perfumes and shampoos are using far safer methods (as is required in Colorado.)

By apparently outlawing any form of concentrated marijuana like hashish, edible preparations, tinctures and even the juicing of cannabis leaves (which produces a liquid which research shows may be effective for certain types of cancer), this bill would take our already problematic medical marijuana program backwards.

Many patients prefer edible or concentrated forms of marijuana for different reasons. This bill would have the effect of forcing patients to smoke their medical cannabis -essentially the least healthful way to ingest it. Eating foods made with it provides longer lasting and more consistent relief. Patients with certain types of pain and other maladies prefer topical preparations such as oils and tinctures.

Many of you may have heard of “Charlotte’s Web,” a concentrated oil product that appears to cause dramatic improvement in children with severe epileptic disorders such as Dravet Syndrome. This was the focus of two CNN documentaries produced by Dr. Sanjay Gupta.

And lest you are visualizing stoned children, this oil is high in therapeutic cannabinoids with little to no psychoactive effect. The dosage is just one or two drops under the tongue. (This is the kind of therapeutic product that is available at good cannabis dispensaries.)

In sum, if eliminating the dangerous practice of producing “honey oil” via butane is the intent of this bill, it is a wrong-headed way to approach the problem and prevents bona fide patients from creating and using products they have found to be the most beneficial and the least harmful.

We urge the Committees to hold S.B. 228, an inaccurate, confused, and confusing bill that would have many harmful consequences for Hawaii’s more than 13,000 legitimate cannabis patients.

Mahalo for giving us the opportunity to testify today.

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To: [HTHTestimony](#)
Cc: wildmindgarden@gmail.com
Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 1:42:21 PM
Attachments: [testimony in opposition of sb228.doc](#)

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Isaac-Magdalene	Individual	Oppose	No

Comments: Thank you to our legislators in Hawaii for choosing wisely and helping to steer us all in a positive direction. Mahalos - Megan

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SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Brittany Neal	Individual	Oppose	No

Comments: I do not support SB 228. In fact I strongly oppose it. This bill is an attempt to castrate the therapeutic value of Hawai'i's medical use of marijuana program. Medical cannabis concentrate is what helps many patients have quality of life and to overcome debilitating disorders such as seizures, severe muscle spasms, pain, cancer and more. For many qualifying patients, concentrate is the only form that allows them to achieve the desired therapeutic effect. To remove concentrate from from the definition of "marijuana" and "usable marijuana" under section 329-121, HRS would render the medical use of marijuana program useless for many patients. Some folks would then be forced to break the law to continue to obtain the form of medicine that they have been benefiting from using. This bill would undermine Hawai'i's medical use of marijuana program rather than improve it.

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Subject: Submitted testimony for SB228 on Feb 18, 2015 15:30PM
Date: Tuesday, February 17, 2015 1:35:50 PM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Brent Neal	Individual	Oppose	No

Comments: I do not support SB 228. In fact I strongly oppose it. This bill is an attempt to castrate the therapeutic value of Hawai'i's medical use of marijuana program. Medical cannabis concentrate is what helps many patients have quality of life and to overcome debilitating disorders such as seizures, severe muscle spasms, pain, cancer and more. For many qualifying patients, concentrate is the only form that allows them to achieve the desired therapeutic effect. To remove concentrate from from the definition of "marijuana" and "usable marijuana" under section 329-121, HRS would render the medical use of marijuana program useless for many patients. Some folks would then be forced to break the law to continue to obtain the form of medicine that they have been benefiting from using. This bill would undermine Hawai'i's medical use of marijuana program rather than improve it.

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Date: Tuesday, February 17, 2015 1:34:43 PM

SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Kimberly Turnbull, DC	Individual	Oppose	No

Comments: As a chiropractor, I can tell you that most of my patients who use medical cannabis do not smoke it. the preferred medical administration route is oral, though i also have patients who use it topically to areas of chronic pain and inflammation. The language of this bill appears to contradict itself, but if it would limit a patient's access to prepared forms of cannabis, that would be a staggering mistake, and I strongly oppose.

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SB228

Submitted on: 2/17/2015

Testimony for HTH/PSM on Feb 18, 2015 15:30PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Ruggles	Alternative Pain Management Pu`uhonua LLC	Oppose	No

Comments: I do not support SB 228. In fact I strongly oppose it. This bill is an attempt to castrate the therapeutic value of Hawai`i's medical use of marijuana program. Medical cannabis concentrate is what helps many patients have quality of life and to overcome debilitating disorders such as seizures, severe muscle spasms, pain, cancer and more. For many qualifying patients, concentrate is the only form that allows them to achieve the desired therapeutic effect. To remove concentrate from from the definition of "marijuana" and "usable marijuana" under section 329-121, HRS would render the medical use of marijuana program useless for many patients. Some folks would then be forced to break the law to continue to obtain the form of medicine that they have been benefiting from using. This bill would undermine Hawai`i's medical use of marijuana program rather than improve it.

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