

JAN 24 2018

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1 SECTION 1. The legislature finds that a person who has
2 been authorized to use medical cannabis by a jurisdiction
3 outside this State cannot legally purchase or use medical
4 cannabis in this State unless they have:

5 (1) Established a professional medical relationship;

6 (2) Been diagnosed as having a debilitating medical
7 condition;

8 (3) Been approved for registration as a qualifying
9 patient; and

10 (4) Paid an applicable fee,
11 in this State.

12 These requirements create obstacles and undue burdens for a
13 person who has a debilitating medical condition or has otherwise
14 been authorized to use medical cannabis and is traveling in this
15 State for a relatively brief period.

16 Accordingly, the purpose of this Act is to provide that:



(1) A person who has been authorized to medically use cannabis under the laws of another state or territory of the United States or the District of Columbia shall be recognized as a qualifying patient in this State upon verification of the out-of-state authorization pursuant to rules adopted by the department of health; and

(2) The department of health shall consider and may adopt rules extending similar recognition to a person who has been authorized to medically use cannabis under the laws of another country.

SECTION 2. Chapter 329, Hawaii Revised Statutes, is amended by adding a new section to part IX to be appropriately designated and to read as follows:

"§329- Qualifying patients from other states or countries; verification. (a) A person who has been authorized to medically use cannabis under the laws of another:

(1) State shall be recognized as a qualifying patient in this State; or

(2) Country may be recognized as a qualifying patient in this State;



1 provided that recognition as a qualifying patient in this State
2 shall apply only to a person whose authorization to medically
3 use cannabis in another state or country has been verified in
4 this State.

5 (b) For purposes of this section, the department of
6 health:

7 (1) Shall adopt rules pursuant to chapter 91 relating to
8 the verification of a patient's authorization to
9 medically use cannabis under the laws of another
10 state; and

11 (2) Shall consider and may adopt rules pursuant to chapter
12 91 relating to the verification of a patient's
13 authorization to medically use cannabis under the laws
14 of another country;

15 provided that the rules may authorize a health care provider,
16 dispensary, or certifying clinic to verify the patient's
17 authorization; provided further that the department of health
18 shall consider, and may require by rule, charging a fee to any
19 person seeking verification under this section.



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1 (c) As used in this section, "another state" includes all
2 states and territories of the United States and the District of
3 Columbia."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6 INTRODUCED BY:

Donna Mercado K.

St. Pierre

JD

transcribed by
Mr. [unclear]



S.B. NO. 2916

Report Title:

Cannabis; Medical Use; DOH; Authorization; Other Jurisdictions;
Recognition

Description:

Provides that persons authorized to use medical cannabis in other states and territories of the United States shall be recognized as qualifying patients for medical cannabis use in this State upon verification. Requires the Department of Health to consider authorizing similar recognition for persons authorized to use medical cannabis in another country.

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