THE SENATE
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

S.B. NO. 3094

JAN 2 4 2018

A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS CONTAINING CANNABIDIOL.

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

SECTION 1. Chapter 329, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§329- **Food and Drug Administration-approved drugs; cannabidiol.** (a) Upon approval by the federal Food and Drug Administration of one or more prescription drugs containing cannabidiol, the following activities shall be lawful in the State:

(1) The clinically appropriate prescription for a patient of a Food and Drug Administration-approved prescription drug containing cannabidiol by a health care provider licensed to prescribe medications in this State and acting within the health care provider's authorized scope of practice;

(2) The dispensing, pursuant to a valid prescription, of a Food and Drug Administration-approved prescription drug containing cannabidiol to a patient or a

patient's authorized representative by a pharmacist or another health care provider licensed to dispense medications in this State and acting within the health care provider's authorized scope of practice;

(3) The possession and transportation of a Food and Drug Administration-approved prescription drug containing cannabidiol by a patient to whom a valid prescription was issued or by the patient's authorized representative;

(4) The possession and transportation of a Food and Drug Administration-approved prescription drug containing cannabidiol by a licensed pharmacy or wholesaler to facilitate the appropriate dispensing and use of the drug; and

(5) The use of a Food and Drug Administration-approved prescription drug containing cannabidiol by a patient to whom a valid prescription was issued; provided that the patient uses the drug only for legitimate medical purposes in conformity with instructions from the prescriber and dispenser.

(b) Upon approval by the Food and Drug Administration of one or more prescription drugs containing cannabidiol, the department shall amend its rules to conform to the requirements of subsection (a).

(c) Nothing in this section shall be construed to amend, alter, or otherwise restrict access to medical cannabis, recreational marijuana, or both, as authorized under state law."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

S.B. NO. 3094

Report Title:
Cannabidiol; Prescription Drugs; Food and Drug Administration

Description:
Specifies certain activities that shall become lawful, upon approval by the federal Food and Drug Administration of one or more prescription drugs containing cannabidiol.

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