CONFERENCE COMMITTEE REP. NO. 172 -18

Honolulu, Hawaii

APR 27

, 2018

RE:

H.B. No. 2729

H.D. 2

S.D. 2

C.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2729, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CANNABIS FOR MEDICAL USE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the current statutes that regulate the State's medical cannabis and medical cannabis dispensary program to facilitate appropriate access to medical cannabis by patients with debilitating medical conditions and ensure patient safety. Specifically, this measure:

(1) Establishes criteria, standards, limitations, and protections for qualifying out-of-state patients for whom the medical use of cannabis is authorized by the patient's home jurisdiction;

HB2729 CD1 HCCR HMS 2018-3946

- (2) Authorizes the Department of Health to extend the maximum period of validity of a written certification to three years for qualifying patients with a chronic debilitating medical condition and to register two caregivers for minor qualifying patients; provided that both caregivers are parents, guardians, or legal custodians of the minor patient;
- (3) Clarifies a dispensary's right to retest a batch of cannabis or manufactured cannabis products that do not meet safety standards according to initial test results;
- (4)Prohibits employment discrimination and suspension or discharge from employment based solely on evidence of consumption of cannabis by an employee who is a registered qualifying patient;
- (5) Authorizes the formation of a bona fide provider-patient relationship for purposes of obtaining a written certification via telehealth;
- Amends statutes regulating licensed dispensaries to (6) authorize the dispensing of devices that provide safe pulmonary administration of medical cannabis and of edible cannabis products, increase the maximum dosage amount per unit of manufactured cannabis products, and clarify labeling requirements for manufactured cannabis products; and
- Limits the felony convictions that disqualify an individual from employment with a licensed dispensary and permitting, but not requiring, denial of employment based on conviction of a limited number of additional offenses.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions relating to employment protections for registered qualifying patients;
- (2) Authorizing the registration of two caregivers for minor qualifying out-of-state patients;
- (3) Clarifying that a qualifying out-of-state patient shall not possess more than four ounces of usable cannabis at any given time and shall not possess live plants;



- (4) Deleting provisions authorizing licensed dispensaries to dispense edible cannabis products;
- (5) Clarifying requirements for devices that aerosolize cannabis and devices for safe pulmonary administration that may be dispensed by licensed dispensaries;
- (6) Establishing an Outstanding Issues Working Group to consider and make recommendations on issues related to the employment of registered qualifying patients and the manufacture and distribution by licensed dispensaries of edible cannabis products;
- (7) Changing its effective date to July 1, 2018; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2729, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2729, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

ROSALYN H. BAKER

Chair

J. KALANI ENGLISH

Co-Chair

JOHN M. MIZUNO

Co-Chair

AARON LING JOHANSON

Co-Chair

JOY A. SAN BUENAVENTURA

Co-Chair

Hawaii State Legislature

CCR 172-18

Record of Votes of a Conference Committee

The recommendation of the House and Senate managers is to pass with amendments (CD). The Committee is reconsidering its previous decision. The recommendation of the Senate Manager(s) is to AGREE to the House managers are to the House managers. Senate Managers A WR N E House Managers A WR N E House Managers BAKER, Rosalyn H, Chr. ENGLISH, J. Kalani, Co-Chr. SAB BUBNAVENTURA, Joy A, Co-Chr. SAB SUBNAVENTURA, Joy A, Co-Chr. BELATTI, Della Au TUPOLA, Andria P.L. TOTAL JOHANSON, Andria P.L. TOTAL JOHANSON, Andria P.L. TOTAL JOHANSON, Andria P.L. TOTAL JOHANSON, Andria P.L. House Managers A WR N E MIZUNO, John M., Co-Chr. JOHANSON, Andro Ling, Co-Chr. JOHAN	HB 2729, HD 2, SD 2					Date/Time: 4-27-18	10:	14 1	۲		
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure Senate Managers A WR N E House Managers BAKER, Rosalyn H., Chr. ENGLISH, J. Kalani, Co-Chr. ESPERO, Will BELATTI, Della Au TUPOLA, Andria P.L. TOTAL TOTAL TOTAL A Aye WR Aye with Reservations Senate Recommendation is: A WR Aye WR Aye with Reservations Senate Recommendation is: A Adopted Not Adopted Not Adopted Senate Lead Chair's or Designee's Signature: House Candendents made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate amendments made to the House Manager(s) is to AGREE to the Senate Amendments made to the House Adopted											
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