
A BILL FOR AN ACT

RELATING TO THE OFFICE OF MEDICAL CANNABIS CONTROL AND
REGULATION.

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

1 SECTION 1. The legislature finds that Act 159, Session
2 Laws of Hawaii 2018, established the office of medical cannabis
3 control and regulation (OMCCR) under the health resources
4 administration of the department of health to administer medical
5 cannabis dispensary licensure and regulation pursuant to chapter
6 329D, Hawaii Revised Statutes, and the registration of
7 qualifying patients and primary caregivers pursuant to chapter
8 329, part IX, Hawaii Revised Statutes.

9 The purpose of this Act is to allow the department of
10 health to fully operationalize the office of medical cannabis
11 control and regulation to ensure patient access and regulatory
12 oversight of the licensed dispensaries by:

13 (1) Changing the means of financing for general-funded
14 OMCCR positions from general funds to the medical
15 cannabis registry and regulation special fund;



1 (2) Establishing, hiring, and filling three new permanent
2 full-time equivalent positions (3.0 FTE) funded by the
3 medical cannabis registry and regulation special fund;
4 and

5 (3) Authorizing the department of health to set via
6 administrative rule making, patient registration fees
7 beginning in fiscal year 2022.

8 SECTION 2. Section 329-123, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) Qualifying patients shall register with the
11 department of health. The registration shall be effective until
12 the expiration of the certificate issued by the department of
13 health and signed by the physician or advanced practice
14 registered nurse. Every qualifying patient shall provide
15 sufficient identifying information to establish the personal
16 identities of the qualifying patient and the primary caregiver.
17 Qualifying patients shall report changes in information within
18 ten working days. Every qualifying patient shall have only one
19 primary caregiver at any given time. The department of health
20 shall issue to the qualifying patient a registration
21 certificate, and is authorized to establish fees by



1 administrative rules and shall charge [~~\$35 per year.~~] a fee as
2 determined by the department."

3 SECTION 3. Section 329-123.5, Hawaii Revised Statutes, is
4 amended by amending subsection (e) to read as follows:

5 "(e) Each qualifying out-of-state patient shall pay a fee
6 [~~of \$45~~] in an amount determined by the department for each
7 registration and renewal."

8 SECTION 4. There is appropriated out of the medical
9 cannabis registry and regulation special fund, established
10 pursuant to section 321-30.1, Hawaii Revised Statutes, the sum
11 of \$ or so much thereof as may be necessary for fiscal
12 year 2021-2022 and the same sum or so much thereof as may be
13 necessary for fiscal year 2022-2023 for staff and operations of
14 the office of medical cannabis control and regulation, including
15 the establishment of three permanent full-time equivalent (3.00
16 FTE) positions.

17 The sums appropriated shall be expended by the department
18 of health for the purposes of this Act.

19



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underlined.

3 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Department of Health; Office of Medical Cannabis Control and Regulation; Fees

Description:

Authorizes the Department of Health to set patient registration fees by administrative rulemaking, adds 3.0 FTE positions for staff and operations of the office of medical cannabis control and regulation, and changes means of finance for positions.
(SD1)

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