



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

MEDICAL USE OF CANNABIS OUTSTANDING ISSUES WORKING GROUP

Act 116/HB 2729 HD2 SD2 CD1 (2018)

NOTICE OF MEETING

DATE: Tuesday, October 2, 2018
TIME: 2:00 PM – 4:00 PM
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

The Medical Use of Cannabis Outstanding Issues Working Group (“Working Group”) was established by the Legislature pursuant to Act 116/HB2729 HD2 SD2 CD1 (2018) to consider and make recommendations regarding:

- (1) Employment: Issues involving an employee who is a registered qualifying patient for whom the medical use of cannabis is permitted pursuant to sections 329-122 and 329-123, HRS; and
- (2) Edibles: Authorization and regulation of the manufacture and dispensing of edible cannabis products by a licensed medical cannabis dispensary.

Employment

The Working Group is tasked with considering the following issues related to the employment of a qualifying patient registered according to section 329-123, HRS:

- (1) Actions taken in other states regarding employment of qualifying medical cannabis patients, particularly in regard to substance abuse on-site screening tests administered by an employer;
- (2) Protections available in other states against employment discrimination and suspension or discharge from employment based on an individual’s status as a qualifying medical cannabis patient;
- (3) Allowable substance abuse screening tests for employees whose job requires the employee to not be under the influence of substances, such as employees in positions that require operation of a vehicle or heavy machinery, employees in inherently dangerous positions such as construction workers, or other employees subject to generally-applicable safety requirements;
- (4) The requirements applicable to both employees and employers contained in controlling federal law that requires employees to submit to substance abuse screening tests, including regulations of the Federal Aviation Administration, United States Department of Transportation, United States Department of Defense, United States Coast Guard, Department of Labor, and any other federal agency;
- (5) Applicable requirements for privacy of medical information and prohibitions on discrimination based on health or disability status contained in state and federal law; and
- (6) Any other issues related to employment of registered qualifying patients for whom the medical use of cannabis is permitted, at the discretion of the working group.

Edibles

The Working Group is tasked with considering the following issues related to the manufacture and dispensing of edible cannabis products by licensed medical cannabis dispensaries:

- (1) Actions taken, and regulatory systems established by other states;
- (2) Standards for testing and labeling of edible cannabis products for product content, potency, and dosage;
- (3) Requirements and limitations for the types of allowable edible cannabis products, including restrictions on products such as gummies, brightly colored candies, or other products with a design likely to appeal to children or designed to resemble commercially available products marketed to children or adolescents;
- (4) Requirements and limitations applicable to liquid products;
- (5) Health and safety standards applicable to the manufacture of edible cannabis products, including standards for the protection of both consumers of the products and employees who manufacture the products; and
- (6) Any other issues related to the manufacture and dispensing of edible cannabis products, at the discretion of the working group.

Act 116 (2018) requires the Working Group be convened no later than August 1, 2018, provide periodic updates to the legislature, and make recommendations for any legislative administrative action the Working Group deems appropriate to address issues surrounding the employment of qualifying patients and the manufacture and dispensing of edible cannabis products. The Working Group is to submit a final report, including recommendations for further action, to the Legislature no later than twenty days before the convening of the regular session of 2019.

AGENDA

- I. Review of 9/4/2018 Meeting Minutes
- II. Working Group Discussion of Draft Recommendations
- III. Questions and Comments from Public
- IV. Next Steps & Announcements
- V. Adjournment

If you require special assistance or auxiliary aids and/or services to participate in the meeting (i.e., sign language interpreter or wheelchair accessibility), please contact the Medical Cannabis Dispensing and Licensing Program at (808) 692-7450 or by email at doh.medcannabis.dispensary@doh.hawaii.gov to make a request for arrangements at least seven (7) business days prior to the meeting. Prompt requests help to ensure the availability of qualified individuals and appropriate accommodations.