



Issue	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	91	
Arrest protection	40	40	
Affirmative defense	15	15	
Child custody	10	10	
DUID protections	5	0	
Employment	5	5	
Explicit privacy standards.....	7	7	
Housing protections	5	5	
Does not create new criminal penalties for patients	5	4	
Organ transplants	5	5	
Reciprocity	3	0	
EASE OF NAVIGATION (total).....	100	86	
Comprehensive qualifying conditions.....	50	46	
Adding new conditions (total).....	10	7	
Law/Regs allow for new conditions	5	5	
System works for adding new conditions.....	5	2	
Reasonable access for minors.....	10	9	
Reasonable caregiver background check requirements..	4	4	
Number of caregivers	2	2	
Patient/Practitioner focused task force/advisory Board ..	2	0	
Reasonable fees (patients & caregivers).....	10	9	
Allows multiple-year registrations	2	0	
Reasonable physician requirements.....	5	4	
Does not classify cannabis as medicine of last resort.....	5	5	
ACCESS TO MEDICINE (total)	100	80	
Allows distribution programs (total).....	40	25	
Allows access to dried flowers.....	15	15	
Allows delivery	5	0	
No sales tax or reasonable sales tax.....	5	4	
Reasonable number of dispensing facilities	5	3	
Does not require vertical integration	2	0	
Ownership/Employment restrictions	2	1	
Provisions for labor standards	2	0	
Environmental impact regulations	2	0	
Unrestricted choice of dispensary	2	2	
Non-commercial cultivation (total)	20	18	
Personal cultivation.....	15	15	
Collective gardens	5	3	
Explicit right to edibles/concentrates/other forms	10	10	
Does not impose limits or bans on THC	10	10	
Does not impose minimum CBD requirements.....	10	10	
Municipal bans/zoning	10	7	
FUNCTIONALITY (total).....	100	80	
Patients are able to obtain medicine.....	50	45	
Free of significant administrative or supply problems..	15	12	
Legal protections within reasonable time frame	10	7	
Reasonable possession limit (ounces)	5	4	
Reasonable purchase limits.....	5	4	
Allows patients to medicate where they chose	5	4	
Covered by insurance/state health aide	3	0	
Financial hardship (fee waivers/discount medicine).....	7	4	
PRODUCT SAFETY (total - see back for details).....	100	60	
Dispensing	25	17	
Cultivation	25	16	
Manufacturing	25	15	
Lab	25	12	
Improvement Bonus.....		25	
Total out of 500.....		422	
Score percentage		84	
Final Grade = B			

Areas for improvement: With the adoption of dispensary legislation, Hawaii has done a good job of meeting most the components that ASA looks for in a medical cannabis program. However, the state falls short in the area of product safety for its dispensary program. The biggest components missing from the state's product safety guidelines are in the areas of recall protocols and independent testing lab requirements. Additionally, the state needs to improve its system for providing registry ID cards to patients, as the state now requires possession of an ID card for legal protections, yet patients are reporting lengthy delays in obtaining their cards.

Background: In 2000, Hawaii passed SB 862 HD1, making Hawaii the first state to legalize medical cannabis via the legislature, as opposed to voter initiative. The legislature amended the law in 2013 with two bills that took effect in January 2015, House Bill 668 and Senate Bill 642. HB 668 moves the medical marijuana program from the Department of Public Safety to the Department of Health and establishes a Medical Marijuana Registry special fund. SB 642 redefines "adequate supply," "medical use," "primary caregiver," "usable marijuana," and "written certification." SB 642 amends registration requirements and creates a mechanism for law enforcement to immediately verify registration status 24 hours a day, 7 days a week. Registered medical cannabis patients and their registered caregivers may possess up to three ounces of usable cannabis and cultivate up to seven plants. Registered patients and caregivers are entitled to an affirmative defense in court, but because Hawaii has a registry verification system that law enforcement can access at any time, registered patients and caregivers who are in clear compliance with the law are typically not subject to arrest.

PRODUCT SAFETY point breakdown

(Point totals by section included in grade calculation on reverse)

Issue	Possible Points		
DISPENSING (total)	25	17	
Dispensary training	5	5	
Operating Procedures and Protocols.....	5	4	
Facility sanitary conditions	Y or N	Y	
Storage protocols	Y or N	N	
Reasonable security protocols	Y or N	Y	
Inventory control	Y or N	Y	
Recall protocol and adverse event reporting	5	0	
Product Labeling	5	3	
Product contents including source material ID	Y or N	Y	
Allergens	Y or N	N	
Potency/compound identification	Y or N	Y	
Required Testing	5	5	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Shelf life testing	Y or N	N	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	5	
CULTIVATION (total).....	25	16	
Cultivation training.....	5	5	
Standard Operating Procedures and Protocols	5	3	
Facility and equipment sanitary conditions ..	Y or N	N	
Workforce safety protocols	Y or N	N	
Storage protocols (short and long term)	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Batch and lot tracking	Y or N	Y	
Disposal/waste	Y or N	Y	
Water management	Y or N	N	
Pesticide Guidance and Protocols	5	3	
Pesticide guidance.....	Y or N	Y	
Product labeling	Y or N	N	
Required testing	5	5	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting.....	5	0	
MANUFACTURING (total).....	25	15	
Manufacturing training	5	5	
Standard Operating Procedures and Protocols.....	5	3	
Facility and equipment sanitary conditions ..	Y or N	N	
Workforce safety protocols	Y or N	N	
Storage protocols	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Batch and lot tracking	Y or N	Y	
Product Labeling	5	3	
Product contents with source material ID	Y or N	Y	
Allergens	Y or N	N	
Potency/compound identification	Y or N	Y	
Required Testing	5	4	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Shelf life testing	Y or N	N	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	5	
LABORATORY (total).....	25	12	
Lab operations training.....	5	5	
Method validation in accordance with AHP guidelines ..	5	0	
Result reporting - disclose the type of testing used.....	5	0	
Independent or third party certification.....	5	5	
Standard Operating Procedures and Protocols	5	2	
Equipment and instrument calibration	Y or N	N	
Sample tracking	Y or N	N	
Facility and equipment sanitary conditions ..	Y or N	N	
Disposal/waste protocols	Y or N	N	
Storage protocols	Y or N	N	
Workforce safety protocols	Y or N	N	
Total out of 100.....		60	

Tools for Success:

Improving your state law has never been easier. In the appendix of this report you will find model legislation and regulators guides for product safety protocols. ASA staff are all also available to draft and/or review legislative and regulatory language. Our website has many resources online including access to our policy shop at http://www.safeaccessnow.org/policy_shop, information for regulators available at <http://patientfocusedcertification.org/about/information-for-regulators/> and a breakdown of all the state laws at http://www.safeaccessnow.org/state_and_federal_law.