



## DEPARTMENT OF HEALTH

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### NEWS RELEASE

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### HAWAII STATE DEPARTMENT OF HEALTH REMINDS PATIENTS ABOUT NEW RULES IN MEDICAL MARIJUANA REGISTRY PROGRAM: TAGGING OF MARIJUANA PLANTS AND PROPER ID FOR REGISTERED PATIENTS AND CAREGIVERS

HONOLULU – Patients and caregivers who grow their own medical marijuana should be aware of the Hawaii State Department of Health’s new rules governing medical marijuana to avoid getting in trouble with law enforcement officials, according to Scottina “Scotty” Malia Ruis, medical marijuana registry coordinator with the Hawaii State Department of Health.

Prior to the transfer of the registry program from the Hawaii Department of Public Safety to the Department of Health at the beginning of this year, the Department of Health reviewed the rules governing the program and proposed changes to those rules. Gov. David Ige approved the new Hawaii Administrative Rules (HAR) for the Medical Marijuana Registry Program, Chapter 11-160, on July 6, 2015 with an effective date of July 18, 2015.

#### **Tagging of marijuana plants**

All certified patients or caregivers that are registered to grow marijuana plants must have a legible identification tag on each marijuana plant, up to the allowable limit of seven plants per registered patient. The tags must show the patient’s registration number and expiration date of the card. No additional information is required.

Ruis noted it is the responsibility of the registered individual to ensure the tags meet the DOH Tagging Guidelines, which can be found at the Hawaii State Department of Health’s website at <http://health.hawaii.gov/medicalmarijuana/submenu/tagging-guidelines/>

#### **Possession of registration cards**

In addition to properly tagging marijuana plants, all patients and caregivers are required to have their registration card and valid ID on their person whenever they are in possession of medical marijuana. This means that neither patients nor caregivers are authorized by the Department of Health to begin the use of medical marijuana until they receive their registration card. This allows law enforcement to determine whether patients and caregivers are in compliance with the legal requirements for the medical use of marijuana while recognizing patient’s rights within the provisions of the existing laws.

Patients should renew their medical marijuana registration card before it expires if they intend to continue using medical marijuana. They can renew up to 60 days before the expiration date. Ruis said.

## Other Updates

### Post Traumatic Stress Disorder Added to List of Debilitating Medical Conditions

For the first time since Hawaii established its medical marijuana registry program in 2000, a new medical condition – Post Traumatic Stress Disorder (PTSD) -- has been added to the existing list of eligible debilitating medical conditions that qualify for medical marijuana use, pursuant to Act 241. Laws governing Hawaii's medical marijuana registry, including the list of medical conditions for medical marijuana, were initially introduced in 2000.

"The addition of PTSD and other recent updates to the medical marijuana registry rules reflect the Hawaii State Department of Health's commitment to improve access to medical marijuana for Hawaii's patients," said Virginia Pressler, MD, director of the Hawaii State Department of Health.

"We want to be as patient-friendly as possible while also ensuring patients remain in compliance with existing laws," Ruis said.

Other updates to the rules include:

- **New petition process**  
The updated rules define a new petition process for physicians and patients who want the Hawaii State Department of Health to add medical conditions to the list of qualifying conditions to participate in the medical marijuana program.
- **Additional types of identification accepted**  
In addition to accepting a valid Hawaii driver's license or valid Hawaii State ID, the Hawaii State Department of Health now accepts a valid driver's license or state photo ID card from any state in the United States, or a valid passport when applying for a medical marijuana registration card.
- **Primary Care Provider (PCP) requirement removed and physician-patient relationship strengthened**  
In order to participate in the program, a physician with both a valid Hawaii medical license and a valid Hawaii controlled substance license must certify that a patient has a debilitating medical condition, as defined in the law, and that the potential benefits of using medical marijuana would likely outweigh the health risks for the particular patient for the treatment of this condition.

Previously, the law required a patient's primary care physician to certify that the patient had a qualifying medical condition for medical marijuana. Act 241 updated the requirements and no longer requires that the patient's primary care physician be the certifying physician for the program. However, the updated rules are designed to ensure that certifying physicians establish and maintain ongoing responsibility for the assessment, care and treatment of a qualifying patient's debilitating medical condition with respect to the medical use of marijuana.

"We see a need to provide more education for physicians and other health care professionals as well as patients and caregivers, so that they can make informed decisions about their health care options as they relate to medical marijuana," Ruis said. "Ideally, individuals who feel they have an eligible medical condition will begin to discuss this with their physician who is currently treating them."

- **Increased operational flexibility**  
The Hawaii State Department of Health is moving toward developing a fully online application

system that will reduce turnaround time for the issuance of registration cards, provide patients with greater control over the information that is used on their registration cards, and eliminate some of the paperwork burden that may have been a deterrent to certifying physicians in the past.

**Program Infrastructure**

The medical marijuana registry program and the medical marijuana dispensary program both fall under the Hawaii State Department of Health, but are two separate programs.

**More Information**

For more information on the DOH Medical Marijuana Registry Program, please visit <http://health.hawaii.gov/medicalmarijuana>.

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