
State of Hawai‘i – Department of Health
Office of Medical Cannabis Control and Regulation

Guidance for Hawai‘i Medical Providers:
Medical Cannabis Certification by Primary Treating Medical Providers

**Authority for Primary Treating Medical Providers to Certify Conditions Beyond
“Debilitating Medical Conditions”**

Pursuant to Act 241, SLH 2025, the Hawai‘i Revised Statutes have been amended to allow licensed physicians and advanced practice registered nurses (APRNs) that qualify as **“PRIMARY TREATING MEDICAL PROVIDERS”** to certify patients for the medical use of cannabis for conditions that are not explicitly listed as a “debilitating medical condition” under the law, as outlined in this guidance document.

Primary Medical Provider

To qualify as a Primary Treating Medical Provider, you must:

1. Be a **physician** or an **advanced practice registered nurse (APRN)**;
2. Hold an **active, unrestricted license to practice in the State**;
3. Be **physically located in the State**;
4. Be **EITHER**:
 - a. **Primary Care Provider (PCP)**:
 - i. The provider who is primarily responsible for the patient’s overall treatment and ongoing care; and
 - ii. Coordinates and manages the patient’s general health care needs;**OR**
 - b. **Specialist**:
 - i. A provider practicing within their licensed scope of practice and individual competency;
 - ii. Serving as the primary provider responsible for treating a specific condition; and
 - iii. The specific condition is the one for which the provider is certifying the medical use of cannabis.

Eligibility Requirements for Certification

A Primary Treating Medical Provider may certify a patient if the following criteria are met:

1. The patient has been diagnosed with a medical condition (debilitating or otherwise) and the provider is primarily responsible for ongoing care of the patient or patient’s condition.

2. The provider **certifies in writing** that **in their professional opinion** the potential **benefits of the medical use of cannabis are likely to outweigh the associated health risks** for the patient.
3. A **bona fide provider-patient relationship** exists. This means that the physician or APRN has ongoing responsibility for the assessment, care, and treatment of a qualifying patient's medical condition with respect to the medical use of cannabis.
4. The provider's decision is supported by appropriate **medical documentation** and clinical judgment.

Written Certification Requirements

Written certifications must include:

1. A statement signed by the certifying provider (physician, APRN, or hospice provider);
2. Documentation of the patient's diagnosis and condition;
3. Evidence that the provider has explained the **potential risks and benefits** of cannabis use; and
4. Records indicating that the patient understands these risks and benefits.

Best Practices for Primary Treating Medical Providers

- Complete a full assessment of the qualifying patient's medical history and current medical condition, including conducting a review of the qualifying patient's medical records related to the qualifying medical condition as medically appropriate;
- Provide follow up care and treatment as medically appropriate to the qualifying patient and assess the qualifying patient's condition during the course of the qualifying patient's medical use of cannabis; and
- Maintain records of the qualifying patient's condition and treatment plan, including the use of cannabis or cannabinoids, in accordance with medically accepted standards.
- Document in the qualifying patient's medical record that the qualifying patient was explained the potential risks and benefits of the medical use of cannabis.

Department of Health Oversight

The Office of Medical Cannabis Control and Regulation (OMCCR) retains the authority to:

- Inspect medical records held by a certifying provider relating to the certification of cannabis for medical use to ensure provider compliance with certification standards and documentation requirements.
- Suspend or revoke a provider's ability to issue certifications if the provider is not in compliance with the laws and regulations.
- Impose penalties for violations of statutes or administrative rules in accordance with Act 046, SLH 2025.

References

Providers should review the following laws and regulations to ensure compliance:

- [HRS §453-1.3](#) – Practice of telemedicine
- [HAR §11-160-2](#) – Definition of a bona fide physician-patient relationship
- [HAR §11-160-13](#) – Medical records
- [Act 046, SLH 2025](#) – Violations and penalties
- [Act 241, SLH 2025](#) – Certification authorization for treating providers

Providers are required to maintain thorough and accurate documentation to support all medical cannabis certifications.

Note: This guidance is intended for informational purposes and does not replace legal or other regulatory advice. Providers are responsible for ensuring compliance with all applicable laws and professional standards.
