Amendment to Chapter 11-160
Hawaii Administrative Rules

1. Section 11-160-56, Hawaii Administrative Rules, is amended to read as follows:

"§11-160-56 Confidential information; exceptions. (a) All information received and records kept by the department for purposes of administering this chapter are confidential and not subject to disclosure except to:

(1) Employees or agents of the department as necessary to perform their official duties under this chapter;
(2) Federal, [State]state, or local law enforcement agencies for the purpose of verifying registration with the department pursuant to this chapter or for official law enforcement purposes;
(3) [An individual] A person or entity pursuant to an order or subpoena from a court or agency of competent jurisdiction; [and]
(4) A person or entity with the written permission of the qualifying patient or, if the qualifying patient is a minor or an adult lacking legal capacity, of the qualifying patient's parent, guardian, or person having legal custody[.];
(5) Employees or agents of the State's medical marijuana dispensary system;
(6) Employees or agents of the department's contracted computer software tracking system used within the State's medical marijuana dispensary system;
(7) Medical marijuana dispensary system licensees as deemed necessary by the department for purposes of:
    (A) Verifying the status of a person as a qualifying patient or primary caregiver; and

(B) Tracking a qualifying patient's allowable marijuana purchase limits; and

(8) Other persons or entities deemed necessary by the department to administer this chapter or the State's medical marijuana dispensary system.

(b) Nothing in this section precludes the department from the following:

(1) Notifying law enforcement or relevant authorities about falsified or fraudulent information submitted to the department;

(2) Notifying state or local law enforcement about suspected criminal violations; and

(3) Publishing non-identifying aggregated data or statistics of program information."

[Eff 7/18/15; am] (Auth: HRS §§321-9, 329D-27) (Imp: HRS §§92F-13, 329-123, 329D-6)

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments are not underscored.

4. The amendments to chapter 11-160, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on [date] and filed with the Office of the Lieutenant Governor.

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Director of Health

APPROVED AS TO FORM:

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Deputy Attorney General