

STATE OF HAWAII
DEPARTMENT OF HEALTH
HEALTH RESOURCES ADMINISTRATION
OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION

FUNCTIONAL STATEMENT

Under the general administrative oversight of the Deputy Director for Health Resources Administration, the Office of Medical Cannabis Control and Regulation (OMCCR) is responsible for implementing the medical cannabis dispensary system and administering the medical cannabis patient registry pursuant to Chapters 329 and 329D, HRS.

Office Administration

- Administers the statewide program to ensure medical cannabis is accessible for Hawaii's patients, while maintaining patient safety, product safety, and public safety as guiding principles.
- Ensures acceptable standards of care are provided and compliance with State and federal requirements.
- Plans, directs, and reviews fiscal planning, programming, and budgeting activities with the Administrative Services Office; coordinates personnel activities with the Human Resources Office.
- Serves as advisor and consultant on medical use of cannabis to other department programs, external agencies, healthcare, trade associations, and other professional and community groups.
- Provides ongoing assessment of program goals, performance indicators to address community and infrastructure needs; establishes a system of ongoing quality improvement in all program functions; ensures alignment with departmental mission,
- Represents OMCCR in administrative and legislative matters, promoting measures which will provide quality assurance in delivery of better services to the public, and implementing changes as necessary.
- Promulgates and updates State rules and regulations authorized by the legislature; interprets regulations; makes recommendations to the Director on matters pertaining to medical use of cannabis.
- Initiates, coordinates, and responds to remedial actions as necessary in cooperation with the Office of the Attorney General and as authorized by State rules and regulations.
- Assists in the development and provision of training programs healthcare providers, licensees, and other key stakeholders.
- Provides administrative and clerical support to OMCCR.

Medical Cannabis Registry Section

- Implements provisions of HRS Chapter 329 as relating to medical use of cannabis by promulgating rules, and developing, implementing, and evaluating policies and procedures related to the medical use of cannabis by qualifying patients.
- Develops and maintains a secure data system for registration and verification reporting of qualifying patients and caregivers.
- Plans, develops, implements, and evaluates statewide medical cannabis educational and/or outreach activities for key stakeholders and the public on medical use of cannabis.
- Develops and manages the public petition processes to add new debilitating medical conditions to the list of qualifying medical conditions and to remove conditions as needed.

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- Processes annual and renewal applications submitted by certifying physicians for qualifying patients; reviews and verifies application packets or change forms for completeness and accuracy; returns incomplete packets or forms for completion/correction; prints and mails registration certificates.
- Enters registrant information into appropriate tracking system; makes corrections to data entry errors after verification.
- Provides technical assistance, consultation, and clarification of program requirements to physicians, patients, caregivers, law enforcement, legislators, other agencies, and the public on all aspects of the Medical Cannabis Registry program; prepares and distributes statistical reports of program data.
- Establishes and maintains relationships with key stakeholders, including the Hawaii Medical Board, DCCA, RICO, and other state departments, such as the Office of the Attorney General; ensures collaborations and coordinator with other internal and external agencies.
- Resolves complaints from physicians, patients, or the public; ensures compliance with state laws and administrative rules.
- Reviews and evaluates program and policy issues; develops legislative proposals and/or testimony applicable to the program.
- Provides for ongoing staff development opportunities.

Medical Cannabis Dispensary Licensing Section

- Implements provisions of HRS Chapter 329D as relating to licensing of medical cannabis dispensaries by promulgating rules and developing standards to ensure patient safety, product safety, and public safety, and safeguard the quality of care for registered qualifying patients.
- Plans and conducts inspections of dispensary facilities and operations on an ongoing basis for annual re-licensure and compliance with rules to ensure protection of public safety; investigate complaints appropriate to the nature of the facility to determine compliance with State and County requirements and ensure that the mandated quality of care is being maintained.
- Coordinates inspections and investigations with other regulatory agencies at the state and local levels.
- Prepares comprehensive reports of inspections and investigations; report identified deficiencies to dispensary operators; follow-up to confirm correction of deficiencies or that concerns have been adequately addressed.
- Interprets regulations to dispensary operators, the public, legislature, state and other agencies, as requested.
- Conducts or ensures the conduct of criminal history background checks pursuant to HRS 321, 846, and 329D on employees, licensees, and operators of licensed dispensaries under the program's authority.
- Coordinates enforcement actions, issuing of sanctions, and hearings with the Office of the Attorney General and State law enforcement in accordance with pertinent statutes.
- Maintains a registry of dispensaries as required by law, including data pertinent to evaluating the status of licensed dispensaries.

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- Assess the need for training and/or in-service education of dispensaries and related private businesses; arrange and provide for training as needed.
- Provide or arrange for specialized consultation by federal, state, or county law enforcement, county fire inspectors, county building, zoning, and land use offices, sanitation, environmental health, and other professional staff, agriculture and banking services to facilitate continuing education to assure appropriate regulatory oversight of dispensary operations.
- Coordinate, provide and/or develop, training, education and information to community groups and the public on the dispensary licensing program in conjunction with other state or county agencies.
- Arrange and provide ongoing, in-depth training for Medical Cannabis Dispensary Licensing Section professional staff on survey procedures and interpretation of rules to ensure consistency in dispensary inspections.
- Provide consultation to the Legislature and coordinating departments of the Executive Branch on proposed legislation; recommend positions, draft testimony, and represent the Director of Health at public hearings.