

Hawaii Advocates Drop Support for MMJ Expansion Bill

Hawaii Lawmakers Advance Medical Cannabis Expansion Bill with Tighter Restrictions, Prompting Advocates to Withdraw Support

Lawmakers in Hawaii have finalized a controversial update to the state's medical marijuana laws. While the newly approved version of House Bill 302 (HB 302) aims to expand access to cannabis for therapeutic use, advocates say last-minute changes introduced by a joint conference committee have undermined the bill's original intent—leading to a sharp reversal in support from major advocacy groups.

The legislation was approved on Friday by a bicameral conference committee tasked with resolving disagreements between earlier House and Senate versions. It now heads to the House and Senate floors for final votes on Wednesday before potentially reaching the governor's desk.

Hawaii's Revised Medical Cannabis Bill Expands Eligibility But Limits Who Can Recommend Cannabis

At first glance, HB 302 appears to broaden access to medical marijuana by allowing healthcare providers to recommend cannabis for *any condition they believe it could benefit*.

However, a key revision added by the conference committee mandates that only a patient's "primary treating medical provider"—as opposed to any physician with cannabis expertise—can make such recommendations for conditions not explicitly listed in Hawaii's medical marijuana program.

This change could severely limit access, particularly for patients who:

Do not have a primary care physician

Rely on specialists or cannabis-specific doctors

Are veterans whose primary care providers work within the **federal Veterans Affairs (VA)** system, which is prohibited from recommending marijuana due to federal law

Advocates Say New Medical Cannabis Restrictions Undermine Access and Patient Choice

The Marijuana Policy Project (MPP), one of the nation's leading cannabis advocacy organizations, withdrew its support following these latest changes.

Under the revised bill, these specialists may no longer be eligible to issue recommendations for patients with non-listed conditions—potentially leaving thousands without access to medical cannabis.

Department of Health Gains Power to Inspect Medical Cannabis Patient Records

Among the most contentious additions is a provision that gives the Hawaii Department of Health (DOH) sweeping new authority to access and inspect patients' medical records held by recommending physicians, nurses, or hospice providers.

This has sparked privacy concerns from both patients and healthcare providers. If a provider fails to comply with DOH record requests, they risk losing their authorization to certify patients for medical marijuana.

Critics argue this measure could further discourage medical professionals from participating in the program and deter patients from seeking cannabis treatments due to confidentiality fears.

New Felony Charge for Unlicensed Dispensaries Raises Alarm Among Reform Supporters

Another major revision in HB 302 introduces a Class C felony for operating an unlicensed cannabis dispensary. While intended to crack down on illicit sales, advocates worry this could disproportionately affect small-scale caregivers and entrepreneurs operating in gray areas of the law.

The bill also allocates \$750,000 to hire enforcement personnel, including five investigators and one analyst, to address illegal cannabis and hemp activity.

Telehealth Access to Medical Cannabis Recommendations Remains a Positive Step

One positive component of the revised bill is a provision allowing telehealth appointments for patients seeking medical marijuana certification. This means patients would no longer be required to establish an in-person relationship with a provider before receiving a recommendation.

This change is seen as a modest victory for accessibility—particularly for residents in remote areas or those with limited mobility.

Original Senate Version Promised Broad Access to Medical Cannabis for All Conditions

The Hawaii Senate had previously passed a version of the bill with wider eligibility criteria, allowing any qualified healthcare provider to recommend cannabis for any condition they believed would benefit from its use.

This change aimed to empower providers to use their professional judgment, reflecting evolving scientific evidence and patient needs. But the conference committee opted for a more restrictive definition, limiting those broader powers to only a patient's primary treating medical provider.

State Health Department Cited Lack of Scientific Evidence and Risk Concerns

The Department of Health had previously opposed the broader Senate version, citing safety risks and the lack of scientific consensus on the use of cannabis for conditions beyond the current approved list. Their recommendations appear to have significantly influenced the revised bill language.

Governor Josh Green Previously Pushed for Expanded Medical Cannabis Access

Last year, Governor Josh Green (D) indicated his support for expanding the state's medical marijuana program in response to the legislature's failure to pass adult-use legalization.

Though he reiterated his personal support for full adult-use legalization, lawmakers have yet to send a successful recreational cannabis bill to his desk.

Lawmakers Continue to Delay Recreational Marijuana Legalization in Hawaii

Despite growing support, Hawaii has struggled to pass comprehensive cannabis reform. This session:

A **Senate bill (SB 1613)** to legalize recreational use stalled in committee

A **decriminalization bill (SB 319)** to raise the possession threshold to 15 grams failed by a 12–11 Senate vote

A House companion bill for legalization (**HB 1246**) was also shelved earlier in the session

This trend continues a pattern from last year, where House lawmakers blocked a Senate-passed legalization proposal after overwhelming public testimony in favor of reform.

Expungement Reform and Psychedelic Research Bills See Progress

In contrast to the stalled adult-use measures, lawmakers have made tangible progress on related drug policy reforms:

HB 132, which accelerates expungements for past marijuana offenses, was signed into law earlier this month

A separate bill establishing a two-year psychedelic-assisted therapy research pilot program is pending in committee, with support for studying substances like psilocybin and MDMA

These steps suggest an incremental shift toward more progressive drug policies in Hawaii, even as broader legalization remains elusive.

Hawaii's Legacy as a Pioneer in Medical Cannabis Faces New Challenges

Hawaii made history in 2000 by becoming the first U.S. state to legalize medical marijuana through its legislature. Over two decades later, the state is again at a crossroads.

While HB 302 includes several progressive elements—such as expanded eligibility and telehealth options—its restrictive clauses, new enforcement penalties, and patient privacy concerns have cast a long shadow over the bill.

Whether lawmakers approve the final version this week may determine the future direction of Hawaii's cannabis program, balancing expansion with regulation in an evolving medical and political landscape.

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