

THE PROBLEM

Patients must violate federal law to engage in the state authorized “medical” use of Cannabis in Hawaii, which subjects them to a host of devastating consequences that patients are unaware of and definitely not prepared for.

ONE SOLUTION

Obtain a [waiver](#) from the DEA that will allow for the local production of Cannabis that is legal under state and federal law ([21 USC 822\(d\)](#)).

Check out these previous actions by our state Legislature:

2021 Legislative Session:
[HCR132](#)

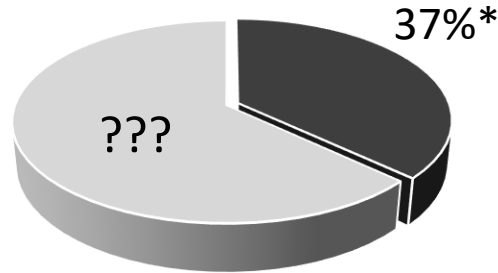
Carried over from 2021:
[HB668](#), [SB669](#), [HB867](#), and [SB147](#)

Introduced during 2022 Session:
[HCR147](#), [SCR69](#), [SCR51](#)

Your state lawmakers need to [hear from you](#) about this issue.

PATIENT ACCESS

Percent using Dispensaries



*One or more purchases, DOH data Jan-2022

OTHER STATES

IOWA:

House File [2589](#) (2020)
[SCR 101](#) (2022)

MINNESOTA:

House File [3639](#) (2020)
Senate File [3685](#) (2022)
House File [3964](#) (2022)


For more information:



Akamai Cannabis Consulting
808-233-8267
akamaicannabisconsulting.com

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ATTENTION 329 Cardholders

State of Hawaii 329 Medical Cannabis	
Registration Number:	
Start Date:	Expiration Date:
Patient Last Name: Mouse	
First, Middle, Suffix: Mickey	
Date of Birth: November 18, 1928	
Caregiver Last Name:	
First, Middle, Suffix:	
Date of Birth:	
Physician/APRN Name:	

A few things
Patients need
to know
about being a
Medical
Cannabis
Patient
in Hawaii



BACKGROUND

When the State of Hawaii [authorized](#) the “medical use” of cannabis nearly twenty-three years ago, it did so based upon the authority reserved to the states under the U.S. Constitution to decide how cannabis is used within the state. That’s why you don’t see the U.S. Department of Justice (DOJ) trying to shut down Hawaii’s Medical Cannabis Program.

Unfortunately, Hawaii never went back to the DOJ or the Drug Enforcement Administration (DEA) to prevent the resulting conflict between the state and federal regulation of Cannabis. The Hawaii Governor at the time figured the DEA would probably just say NO, so didn’t even bother notifying them.

As a result, the simple possession of marijuana still violates federal drug law ([21 USC 844](#)), which means that all patients must violate federal law to participate in our state program and suffer significant consequences despite protections provided by annual renewal of the [Rohrabacher-Farr Appropriations Rider](#).



DISPENSARIES

And dispensaries are in the same boat, except for them it’s even worse. Technically dispensaries are [Continuing Criminal Enterprises](#) in the eyes of the IRS, which means that dispensaries can’t use regular banking services and cannot deduct standard business expenses from their federal tax returns.

As a result, the dispensaries are paying about a [70% tax burden](#) on all their revenue, which would be impossible for any legitimate business to sustain. So, what the dispensaries must do is pass this expense on to patients, making products too expensive and driving patients to the illicit market.

One would think the dispensaries should be screaming [bloody murder](#) about the impact that the federal situation is having upon their commercial operations. However, it is very difficult for the dispensaries to speak up about violating federal law when they are already doing so themselves. This would be self-incriminating and does not look very appealing to potential investors.



DISCRIMINATION

Employment

Interisland Transport

Firearms

Federally Subsidized Housing

Cultivation on Hawaiian Home Lands

Use on School Grounds

Use in Hospice and Long-Term Care Facilities

CDL driver for HDOT

Medical, Life, and Temporary Disability Insurance

Research at UH

