



**Akamai Cannabis Clinic**  
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December 24, 2020

The Honorable Brian T. Taniguchi  
Hawaii State Capitol, Room 219  
415 S. Beretania Street  
Honolulu, HI 96813

### **PATIENTS LOSING THEIR JOBS**

Dear Senator Taniguchi,

I wanted to let you know about a situation with a patient that I re-certified today for the state authorized use of cannabis for medical purposes in Hawaii. This patient recently sustained a serious work-related injury that required emergency medical treatment and surgery. As is customary, this work-related injury triggered mandatory drug testing.

Being a medical cannabis patient and using cannabis only at the end of the day to obtain relief for a qualifying debilitating medical condition, this patient knew that the urine drug test would come back positive for THC. Therefore, the patient informed their Union representative in advance that this would be the case, but when the test came back positive, the Union had to defer to the Employer's policy on drug testing because the Union does not have any provisions for positive THC test results with state registered medical cannabis patients in their employee contracts. Unfortunately, the Employer's zero tolerance drug policy meant that the patient had to be terminated.

There are several problems with this situation. First, Unions are not protecting their members who are engaging in the state authorized use of cannabis for medical purposes in Hawaii. Secondly, employers are using a urine drug test to check for cannabis use on the job, which is not the correct way to test for cannabis impairment at work under the federal drugfree workplace policy. They should be using a rapid THC breathalyzer or saliva test to detect cannabis use within the past 3-4 hours. I have been trying to make such testing available in Hawaii for the past two years with little success. I have also been [asking](#) a local biotech company that is making a rapid COVID-19 saliva test to help us with this problem, again with limited response.

Here is another reason why we need to do something about this federal conflict. May I please schedule a time to discuss this matter with a member of your staff.

Aloha,

Clifton Otto, MD  
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