

South Dakota Department of Health
Notice of Public Hearing to Adopt Rules

A public hearing will be held in Kneip Building in the Large Conference room, 700 Governor's Drive, Pierre, SD on June 17, 2025, at 10:00 am CDT, to consider the amendment of proposed Administrative Rules of South Dakota numbered

§§ 44:90:01:01; 44:90:02:01; 44:90:02:14; 44:90:02:15; 44:90:02:16;
44:90:03:01; 44:90:03:05; 44:90:04:26; 44:90:05:06; 44:90:05:07; 44:90:05:08;
44:90:06:01; 44:90:09:07; 44:90:10:03; 44:90:10:04; 44:90:10:12;
44:90:10:12.02; 44:90:10:14.01; 44:90:12:01; 44:90:12:03; 44:90:12:03.01;
44:90:12:03.02; 44:90:12:09; 44:90:12:10; 44:90:12:11; 44:90:12:12.

The effect of the rules will be to add definitions for further clarity, repeal obsolete references, clean-up the non-resident and establishment registration process, adjust a conversion calculation, modify and clarify establishment operation processes, require expiration date on products, and establish the imposition and payment of fines.

The reason for adopting the proposed rules is to provide better clarity of rules for patients and establishments, align the rules with current industry standards, ensure patient health and safety is protected, adjust allowable quantities of cannabis products, provide for the retesting of expired cannabis product under certain circumstances, clarify provisions related to the destruction of medical cannabis, and implement the fine structure authorized by SDCL 34-20G-72(6).

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, or mail or e-mail them to South Dakota Medical Cannabis Program, 600 E. Capitol Avenue, Pierre, SD 57501 or E-mail them to the Medical Cannabis Program at MCQuestions@state.sd.us or <https://rules.sd.gov>. The deadline to submit any such written comments for consideration by the Department of Health is June 27, 2025.

After the written comment period, the Department of Health will consider all written and oral comments it receives on the proposed rules. The Department of Health may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. Please contact Department of Health at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-773-3361.

Copies of the proposed rules may be obtained without charge from:

South Dakota Department of Health and/or <https://rules.sd.gov>
600 E. Capitol Avenue
Pierre SD, 57501
MCQuestions@state.sd.us
605-773-3361

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