

MEMORANDUM

To:

South Dakota Department of Health
Office of the Secretary
600 East Capitol Avenue
Pierre, South Dakota 57501

From:

Jason Karimi

[REDACTED]

Sioux Falls, South Dakota [REDACTED]

Email: [REDACTED]

Phone: [REDACTED]

Re: Petition for Declaratory Ruling and Scheduling Review – Cannabis

Date: _____

Purpose

Please accept the enclosed Petition for Rulemaking, submitted pursuant to SDCL §§ 34-20B-11, 34-20B-27, and SDCL Chapter 1-26-13.

This filing requests a formal administrative determination regarding whether cannabis may lawfully remain classified as a Schedule I controlled substance under South Dakota law in light of the State's recognition of cannabis as a medicine through SDCL Chapter 34-20G.

Materials Submitted

The enclosed submission consists of:

1. Cover Letter
2. Petition for Declaratory Ruling
3. Exhibit A – SDCL Chapter 34-20G Excerpts — Evidence of Accepted Medical Use As A Matter of Law
4. Exhibit B – South Dakota Medical Cannabis Licensing Materials — Evidence of Accepted Medical Use
5. Exhibit C – Physician Certified Forks — Evidence of Accepted Medical Use
6. Exhibit D – South Dakota Department of Health Program Documentation — Evidence of State Recognition of Accepted Medical Use
7. Exhibit E – Rescheduling Executive Order By President Donald J. Trump
8. Exhibit F – 2023 HHS Ruling and Summary With Excerpts

9. Exhibit G – Emerging Federal Standards for “Currently Accepted Medical Use” Under the Controlled Substances Act

Requested Action

Petitioner respectfully requests that the Department:

- Open a formal administrative proceeding on this Petition;
- Issue written findings and conclusions; and
- Provide a final agency decision subject to judicial review under SDCL § 1-26-30.

Please confirm receipt of this filing in writing and advise of the Department’s process and anticipated timeline for response.

Thank you for your attention to this matter.

Respectfully submitted,

Jason Karimi

[REDACTED]

Sioux Falls, South Dakota [REDACTED]

[REDACTED]

[REDACTED]