

Committee: Senate Health and Human Services

Friday, January 21, 2022 10:00 AM

Roll Call

Present: Sen. Bolin, Sen. Foster, Sen. Rusch, Sen. Tobin, and Sen. Steinhauer  
Present (Remote): Sen. V. J. Smith  
Excused: Sen. Curd

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Senator Steinhauer**

**MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 19<sup>TH</sup>**

Moved by: Bolin  
Second by: Foster  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**SB 17 : revise provisions regarding cost reimbursement associated with medical cannabis.**

Presented by: Senator Bryan Breitling, District 23  
Proponents: Mitchell Rave, Sanford Health, SIOUX FALLS

**MOTION: DO PASS SB 17**

Moved by: Bolin  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 17 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 18 : revise rulemaking authority related to medical cannabis.**

Presented by: Senator Bryan Breitling, District 23

**MOTION: DO PASS SB 18**

Moved by: Rusch  
Second by: Bolin  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 19 : provide that health care facilities and accredited prevention and treatment facilities may establish reasonable restrictions related to the medical use of cannabis.**

Presented by: Senator Bryan Breitling, District 23

Proponents: Terrance Lee Dosch, South Dakota Council of Community Behavioral Health, Pierre  
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls  
Mark B Deak, South Dakota Health Care Association, Sioux Falls

**MOTION: AMEND SB 19**

19B

On page 1, line 1, of the Introduced bill, after "facilities" insert ", mental health centers, "  
On page 2, line 33, of the Introduced bill, after "facility" insert " or a mental health center, as defined in subdivision 27A-1-1(16), "  
On page 4, line 31, of the Introduced bill, after "34-20A-2, " insert "or a mental health center, as defined in subdivision 27A-1-1(16), "

Moved by: Bolin  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**MOTION: DO PASS SB 19 AS AMENDED**

Moved by: Bolin  
Second by: Rusch  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 19 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 21 : revise provisions related to the revocation of a medical cannabis registry identification card.**

Presented by: Senator David Wheeler, District 22

**MOTION: DO PASS SB 21**

Moved by: Rusch

Second by: Bolin  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 21 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 27 : revise the provisions regarding the denial or nonrenewal of a patient registry identification card.**

Presented by: Senator David Wheeler, District 22

**MOTION: DO PASS SB 27**

Moved by: Rusch  
Second by: Bolin  
Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 27 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

**SB 20 : revise the medical purpose defense related to the medical use of cannabis.**

Presented by: Senator Helene Duhamel, District 32

Proponents: Mark Vargo, Pennington County States Attorney, Rapid City  
Jenna Schweiss, South Dakota State's Attorneys Association, Pierre  
Senator Bryan Breitling, District 23

Opponents: Kittrick Jeffries, Dakota Cannabis Consulting, Rapid City  
Terra Larson, SD Association of Criminal Defense Lawyers, Rapid City

**MOTION: DO PASS SB 20**

Moved by: Rusch  
Action: Died for lack of a second

**MOTION: DEFER SB 20 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Bolin  
Second by: Foster  
Action: Failed by Majority Members Elect (3-2-2-0)

Voting Yes: Bolin, Foster, and Steinhauer

Voting No: Rusch and V. J. Smith

Excused: Curd and Tobin

**MOTION: TO TABLE SB 20**

Moved by: V. J. Smith

Second by: Bolin

Action: Prevailed by Majority Members Elect (5-0-2-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Steinhauer

Excused: Curd and Tobin

**SB 26 : revise the definition of practitioner for purposes of the medical cannabis program.**

Presented by: Senator David Wheeler, District 22

Proponents: Jeremiah M. Murphy, Cannabis Industry Association of SD, Sioux Falls  
Samantha Chapman, Urban Indian Health

Opponents: Justin Bell, South Dakota State Medical Association, Sioux Falls  
Kara Dahl MD, SD State Medical Association, Aberdeen

**MOTION: AMEND SB 26**

26A

On page 4, line 10, of the Introduced bill, delete " nurse practitioner" and insert " advanced practice registered nurse"

Moved by: Tobin

Second by: Bolin

Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

Excused: Curd

**MOTION: DO PASS SB 26 AS AMENDED**

Moved by: Tobin

Second by: Foster

Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, Tobin, and Steinhauer

Excused: Curd

**MOTION: ADJOURN**

Moved by: Bolin

Second by: Rusch

Action: Prevailed by Majority Members Elect (5-1-1-0)

Voting Yes: Bolin, Foster, Rusch, V. J. Smith, and Tobin

Voting No: Steinhauer

Excused: Curd

Doug Mortenson, Committee Secretary

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/s/ WAYNE H. STEINHAUER  
Wayne H. Steinhauer, Chair