



SOUTH DAKOTA
DEPARTMENT OF HEALTH

Medical Cannabis Update

Legislative Oversight Committee

August 19, 2024

Outline

- **Program Overview**
- **Software Systems and Processes**
- **Labs/Testing**
- **Program Data**
- **A Look Ahead**

Program Overview

Medical Cannabis Program Responsibilities

- Ensure a safe and effective medical cannabis program
- Regulation of medical cannabis industry: statutes, administrative rules, program policies and procedures
- Register and issue medical cannabis cards to patients and their caregivers

Additional Key Responsibilities

- Certify establishments:
 - Cultivators
 - Manufacturers
 - Dispensaries
 - Testing Facilities (laboratories)
- Inventory tracking statewide for all medical cannabis and cannabis products (Seed-to-Sale software program)
- Inspection of Establishments

Medical Cannabis Staff

- Program Administrator
- Staff Attorney
- Health Program Specialist II (2)
 - Software Project Management
 - Data and policy work
- Senior Health Facilities Surveyor (Inspector) (2)
 - Sioux Falls
 - Rapid City
- Health Program Specialist I (Registration Specialist) (2)
- Health Program Assistant II – Patient Card Specialist

Management of External IT Vendors

- Establishments
 - Initial Applications
 - Renewals
 - Assessing & Collecting Fees
 - Generating Certificates
 - Storing Application Information
 - Sending Communications
- Cardholder Portal
 - Patients
 - Caregivers
 - Practitioners
- Inventory
 - Seed-to-sale tracking of products

Patients and Practitioners Overview

- In state
 - In person appointment only
- Out of state
 - the signed, dated, out of state certification that certifies patient as having a qualifying disabling condition
- Designated caregivers
- Home cultivation
 - Patients are allowed up to 2 immature and 2 mature plants

Bona Fide Practitioner-Patient Relationship

- Assessment of the patient's medical history and current medical condition, including an appropriate in-person physical examination
- Under the practitioner's care for the debilitating medical condition that qualifies the patient for the medical use of cannabis or has been referred by the practitioner caring for the patient's debilitating medical condition that qualifies the patient for the medical use of cannabis to another practitioner;

Bona Fide Practitioner-Patient Relationship continued

- The patient has a reasonable expectation that the practitioner providing the written certification will continue to provide follow-up care to the patient to monitor the medical use of cannabis
- Not for the sole purpose of providing a written certification for the medical use of cannabis, *unless* the patient has been referred by a practitioner providing care for the debilitating medical condition that qualifies the patient for the medical use of cannabis;

Debilitating Medical Conditions

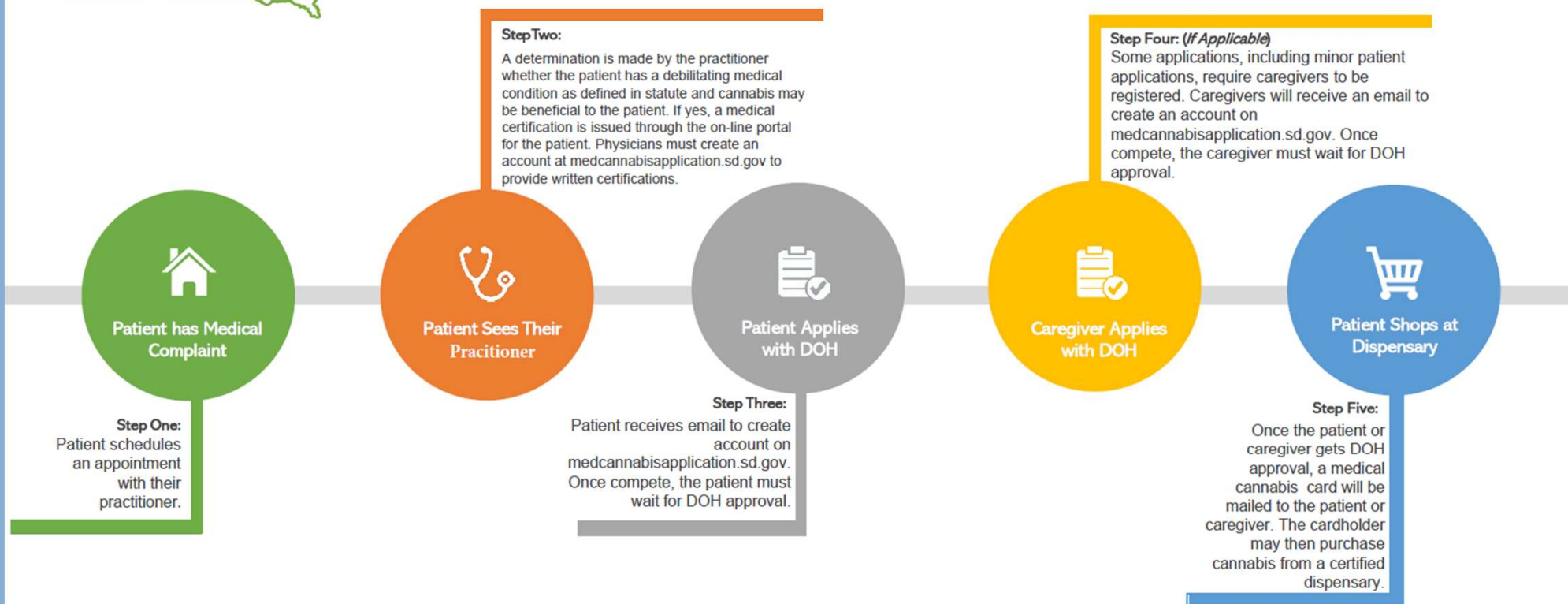
- A chronic or debilitating disease or medical condition or its treatment that produces one or more of the following:
 - Cachexia or wasting syndrome
 - Severe, debilitating pain
 - Severe nausea, except nausea associated with pregnancy
 - Seizures
 - Severe and persistent muscle spasms

Debilitating Medical Conditions

- Acquired immune deficiency syndrome or positive status for human immunodeficiency virus
- Amyotrophic lateral sclerosis
- Multiple sclerosis
- Cancer or its treatment, if associated with severe or chronic pain, nausea or severe vomiting, or cachexia or severe wasting
- Crohn's disease
- Epilepsy and seizures
- Post-traumatic stress disorder



Medical Cannabis Patient Process Overview



Please Note: Patients can NOT start the medical cannabis application process until their practitioner creates a certification, which will automatically create a patient account on medcannabisapplication.sd.gov. In South Dakota, dispensaries, not pharmacies, sell cannabis. Medical certification is not a prescription.

Establishment Overview

- Program Staff review initial and annual renewal applications for certification as medical cannabis establishments
 - Included are review of operating procedures, site plans, security plans, equipment certification, local city/county certification, inventory tracking procedures
- Inspections

Inspections

- Inspection Coordinator
- Department of Public Safety
- Annual Inspections

Standard Symbol



Software Systems

Systems

- Accela (Byrne Technologies)
 - Establishment Platform
 - Initial Applications and Renewals
- Cardholder Portal (CloudPwr)
- Metrc
 - Seed to Sale Inventory Tracking System



South Dakota Medical Cannabis Program

Login

Login

Practitioners

Please Enroll to start the Practitioner Process.

 Enroll

Pursuant to SDCL 34-20G, physicians, physician assistants, or advanced practice registered nurses, who are licensed with authority to prescribe drugs to humans, may certify medical cannabis patients.

South Dakota Resident Interested in Patient or Caregiver Card

Please talk with your healthcare practitioner who must be enrolled in and initiate the patient card application process. You can learn more about the application process [here](#).

Non-Resident Interested in Patient or Caregiver Card

If you are a nonresident and would like to apply for the South Dakota medical cannabis card, please contact a program personnel at MCQuestions@state.sd.us, and we will be happy to assist you.



South Dakota Medical Cannabis Program

Patient Application

Buggs Bunny ▾

1 Applicant Information

2 Practitioner Information

3 Caregivers

4 Cultivation

5 Dispensaries

6 Certification

7 Payment

The purpose of this form is to collect the necessary information from qualifying patients who have been issued a written certification from a physician pursuant to SDCL 34-20G. Once the application is complete and the required payment has been made, the Department of Health will approve or deny your application within 15 days. Patient Registration Identification Cards will be issued to approved applicants and, if applicable, their Caregiver within five days of approval. Should you have any disabilities that prevent you from filling out this form and require a reasonable accommodation, please contact the Department of Health at MCQuestions@state.sd.us.

Applicant Information

Information

* First Name Buggs	Middle Name	* Last Name Bunny
* Date of Birth 5/17/2000	Telephone Number (654) 654-6546	Email sdtesting+641@cloudpwr.com

Address

* Address 1	* State SD	* Zipcode
Address 2		
* City		

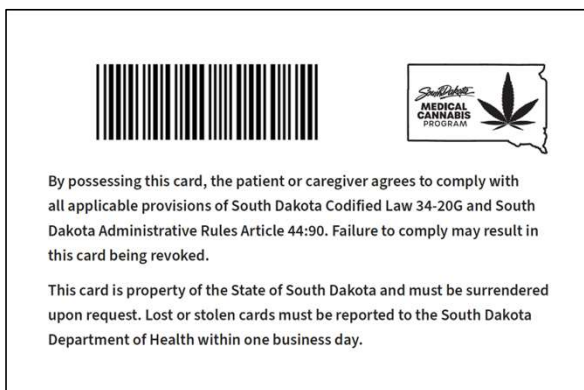
Low Income Applicant

Low-income means having a gross monthly household income that is 130 percent or less of the federal poverty level as defined in the below table:

Household Size	130%
1	\$17,667
2	\$23,803
3	\$29,939
4	\$36,075
5	\$42,211
6	\$48,347
7	\$54,483
8	\$60,619

Patient Cards

- Printing
- New Cards



South Dakota Medical Cannabis Program
Card Verification

Valid Card Search

* Card Number

Enter Card Number...

Verify Card





My Information

Name

Susie Bluebell

Phone

(135) 468-6431

Account Status

Approved

Medical License Number

123456789

National ID Number

123456789

Patients

Certify Patient

Account Settings

My Certifications

Name	Issue Date	Program Status	Actions
<input type="text" value="Filter by Patient Name..."/>			
Cheese Ball	03/28/2022	Revoked	Edit
Mickey Mouse	03/28/2022	Approved	Edit
Minnie Mouse	03/28/2022	New	Edit
Daisy Duck	03/28/2022	New	Edit
Pepperoni Pizza	03/28/2022	New	Edit
Jalapeno Popper	04/21/2022	Payment Pending	Edit
Sausage Burrito	04/27/2022	Pending	Edit
Caramel Coffee	04/27/2022	New	Edit
Led Zeppelin	04/29/2022	New	Edit
Pink Floyd	04/29/2022	Withdrawn	Edit



Welcome to the Medical Cannabis Online Experience!

[Register for an Account](#) [Login](#)

Search...



Home

Create Application

Please Login

Many online services offered by the Agency require login for security reasons. If you are an existing user, please enter your user name and password in the box on the right.

New Users

If you are a new user you may [register](#) for a free Citizen Access account. It only takes a few simple steps and you'll have the added benefits of seeing a complete history of applications, access to invoices and receipts, checking on the status of pending activities, and more.

[Register Now »](#)

Login

User Name or E-mail:

Password:

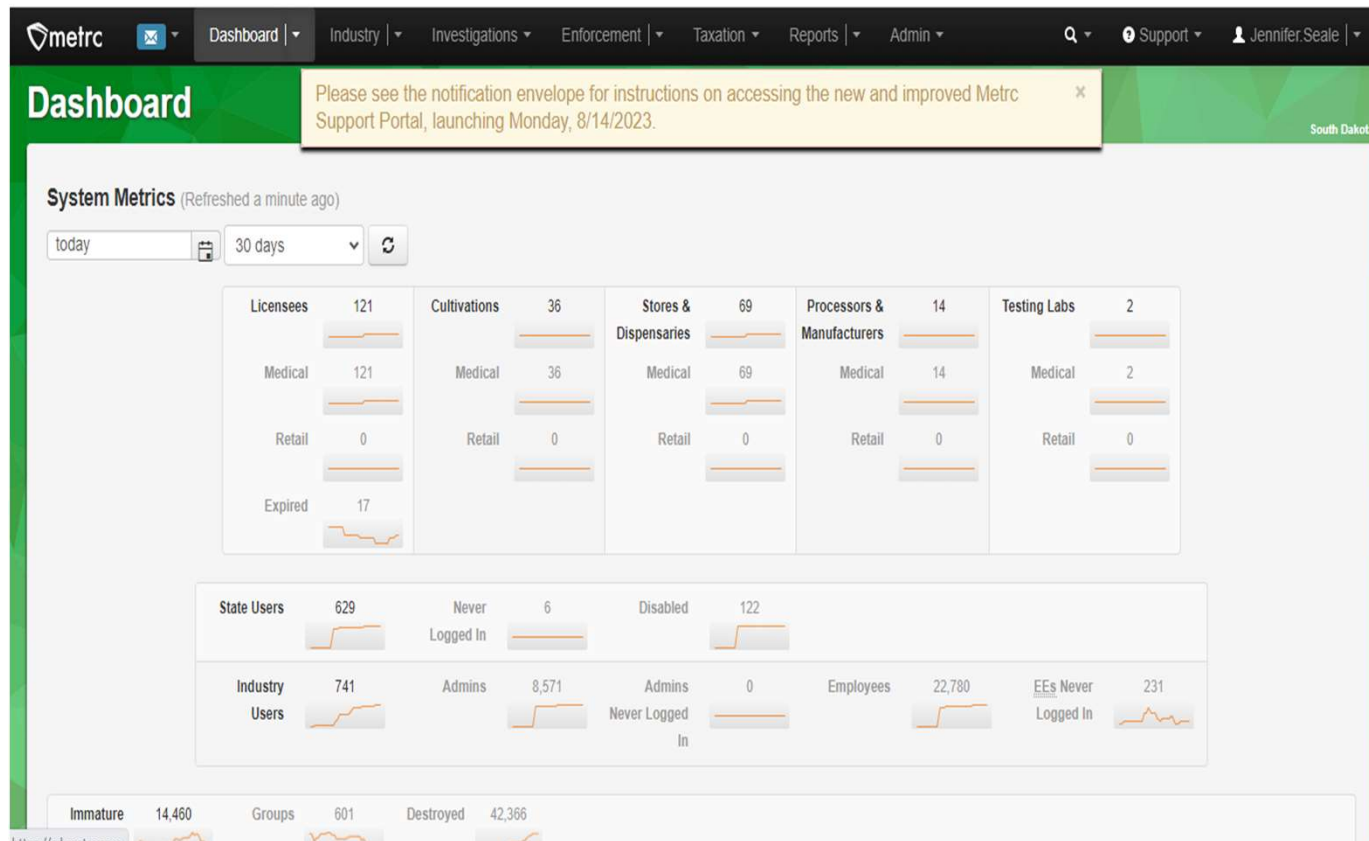
[Login »](#)

☐ Remember me on this computer

[I've forgotten my password](#)

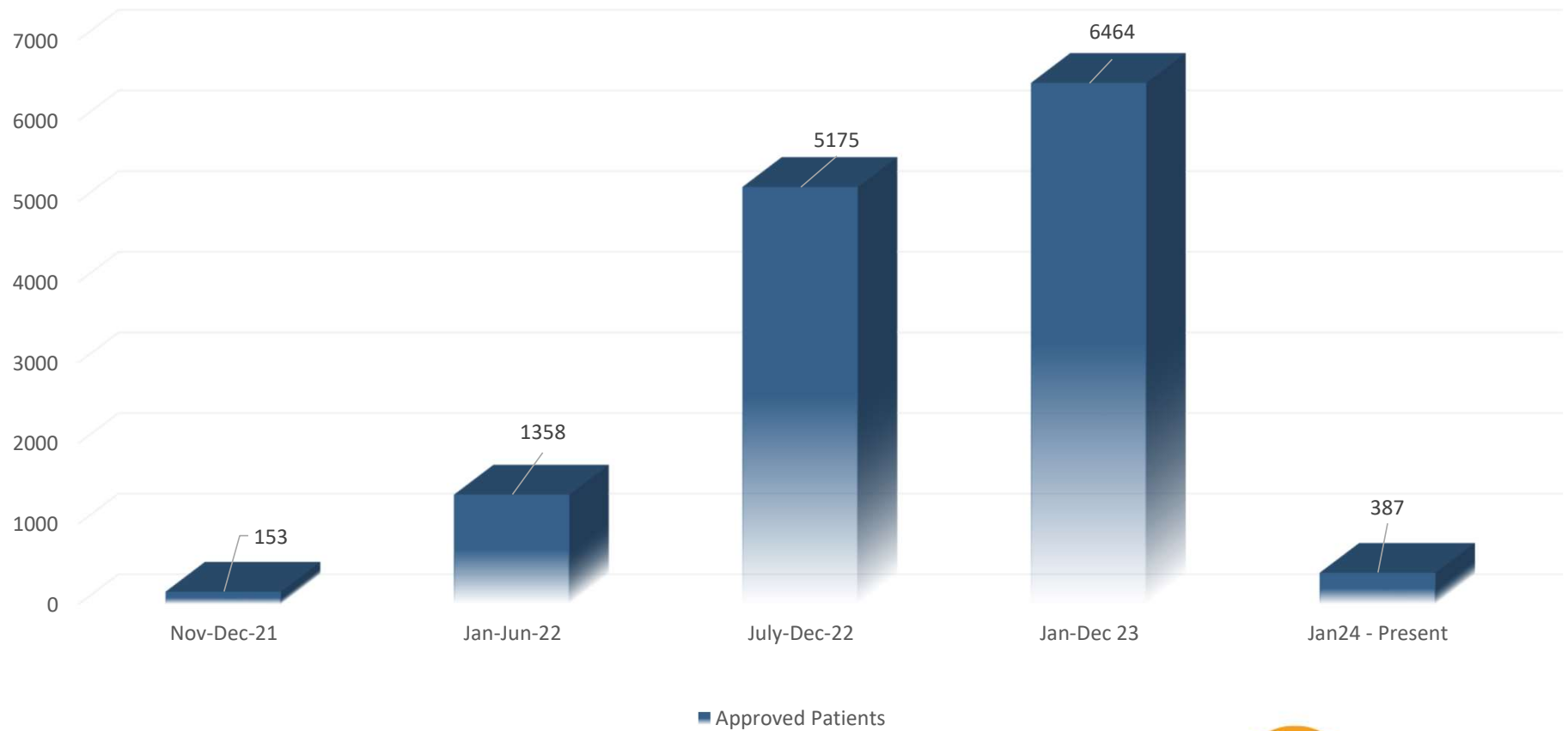
[New Users: Register for an Account](#)

METRC-Inventory Tracking

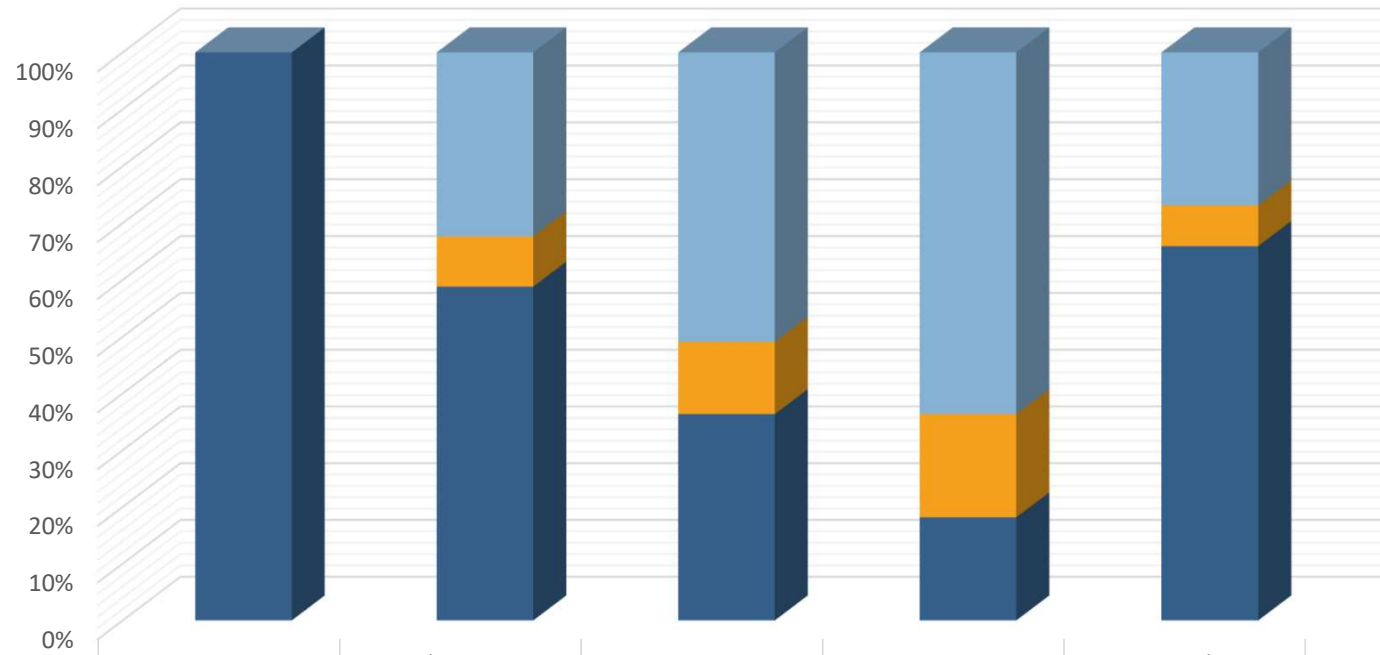


Program Data

APPROVED PATIENTS



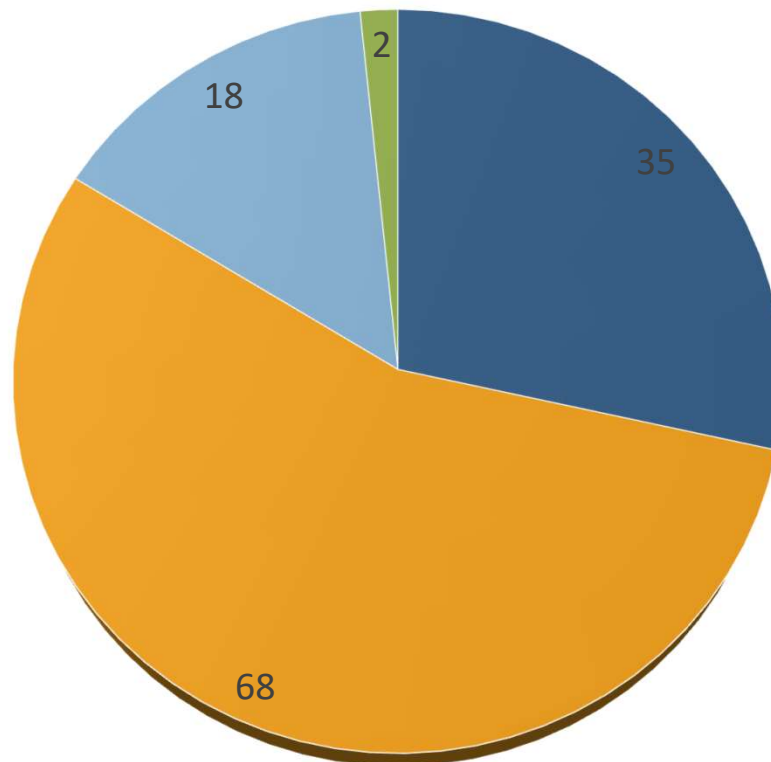
Total Approved Practitioners



	Nov 21-Jun 22	Jul-Dec 22	Jan-Dec 23	Jan24-Present	Total
Advanced Practice RN	0	33	28	14	75
Physician Assistants	0	9	7	4	20
Physician	100	60	20	4	184

Certified Operational Establishments by Type July 2024

- Cultivation
- Dispensary
- Manufacturing
- Testing



Looking Ahead

Proposed Rules Change

- July 1, 2024: 2024 Legislative Session changes effective
- Proposed Rule change to amend establishment fees from \$5,310 to \$9,000 per certificate per year
 - Per Senate Bill 43
- Hearing at Interim Legislative Rules Review Committee
Tuesday, August 20

Software Contract End Dates

- Establishment and Cardholder Portal Contracts
 - End in August 2026
 - RFP process in 2025
- Seed-to-Sale Inventory Tracking
 - Ends in August 2027
 - RFP process in 2026

Federal Proposed Rescheduling

Conclusion