



2022 South Dakota Legislature
House Bill 1056
ENROLLED

AN ACT

ENTITLED An Act to revise provisions related to medical cannabis data maintained by the Department of Health.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-20G-86 be AMENDED:

34-20G-86. Data in a registration application and supporting data submitted by a qualifying patient, designated caregiver, nonresident cardholder, or medical cannabis establishment, including data on designated caregiver or practitioner, is not a public record open to public access, inspection, or copying under chapter 1-27. All other public records concerning registered medical cannabis establishments are governed by chapter 1-27.

Section 2. That § 34-20G-88 be AMENDED:

34-20G-88. Confidential data or data that is not a public record kept or maintained by the department may only be disclosed as necessary to:

- (1) Verify a registration certificate or registry identification card pursuant to this chapter;
- (2) Notify law enforcement of an apparent criminal violation of this chapter or respond to law enforcement or prosecutorial officials engaged in the investigation or enforcement of the criminal provisions of this chapter;
- (3) Notify state and local law enforcement about falsified or fraudulent information submitted for the purpose of obtaining or renewing a registry identification card;
- (4) Notify the South Dakota Board of Medical and Osteopathic Examiners if there is reason to believe that a practitioner provided a written certification and the department has reason to believe the practitioner otherwise violated the standard of care for evaluating a medical condition or respond to the board, if the board is seeking data relevant to an investigation of a person who holds a license issued by the board;

- (5) Any judicial authority under grand jury subpoena or court order or equivalent judicial process for investigation of criminal, civil, or administrative violations related to the use of medical cannabis;
- (6) An authorized employee of the department performing official duties associated with the medical cannabis program; or
- (7) A practitioner to determine if a person in the practitioner's care engages in the medical use of cannabis so the practitioner may assess possible drug interactions or assess other medically necessary concerns.

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I certify that the attached Act originated in
the:
House as Bill No. 1056

Received at this Executive Office
this ____ day of _____,
2022 at _____ M.

Chief Clerk

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2022

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2022
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1056
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State