

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 17A.3(1)“b” and 136.3(9), the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 154, “Medical Cannabidiol Act Registration Card Program,” Iowa Administrative Code.

On May 12, 2017, then Governor Branstad signed 2017 Iowa Acts, House File 524, which repealed existing Iowa Code chapter 124D and enacted new Iowa Code chapter 124E, the Medical Cannabidiol Act. The legislation was effective upon enactment. House File 524 expanded the state’s existing Medical Cannabidiol Act in a number of ways, including expanding the list of conditions for which a patient is eligible to receive a medical cannabidiol patient or primary caregiver registration card, establishing a Medical Cannabidiol Board, providing for licensure of medical cannabidiol manufacturers and dispensaries, establishing a fee structure for registration cards and licensure applications, and adding a new requirement for a real-time, 24/7 statewide medical cannabidiol registry management sale tracking system.

With the repeal of Iowa Code chapter 124D, there is currently no process in place through which the Department can approve medical cannabidiol registration card applications. The purpose of these amendments is to update the Department’s existing administrative rules adopted under the prior Medical Cannabidiol Act to reflect the amendments made to the patient and primary caregiver registration card issuance process. Additional rules will be needed to fully implement House File 524, and those rules will be brought forward at a later date.

Any interested person may make written comments or suggestions on the proposed amendments on or before July 25, 2017. Such written comments should be directed to Randy Mayer, Bureau Chief, Bureau of HIV, STD and Hepatitis, Iowa Department of Public Health, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319-0075. Comments may be sent by e-mail to randall.mayer@idph.iowa.gov.

There will be a public hearing on August 9, 2017, from 1 to 3 p.m. in Room 517-518, Lucas State Office Building, Des Moines, Iowa. This hearing will also be accessible via conference call by dialing 1-866-685-1580 and using the pass code 515-281-5606.

Waiver provisions for these rules are located at 641—Chapter 178.

These amendments are also Adopted and Filed Emergency and are published herein as **ARC 3150C**. The content of that submission is incorporated by reference.

The Department anticipates implementation of 2017 Iowa Acts, House File 524, will cause the expenditure of state funds in excess of \$100,000 per year. Anticipated costs include personnel to oversee the startup and administration of the program, technology solutions that will be necessary to adequately track registration card applicants, and postage and supplies needed to communicate with card applicants.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2017 Iowa Acts, House File 524.