

BEFORE THE IOWA MEDICAL CANNABIDIOL BOARD

Petition by Carl Olsen
for Recommendation to the
Iowa Department of Public Health

PETITION FOR
RECOMMENDATION

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[House File 2589](#), §31 ([2020 Iowa Acts Chapter 1116](#), §31) requires the Iowa Department of Public Health (IDPH) to request federal funding guarantees from federal agencies:

Sec. 31. PROTECTION OF FEDERAL FUNDING. The department of public health shall request guarantees from the agencies of the federal government providing funding to educational and long-term care facilities that facilities with policies allowing patients to possess medical cannabidiol on the grounds of the facilities consistent with chapter 124E or allowing facility staff to administer medical cannabidiol to a patient shall not lose eligibility for any federal funding due to such policies.

Please recommend IDPH notify the U.S. Drug Enforcement Administration (DEA) using the process in Title 21 of the Code of Federal Regulations, Part 1307 ([21 C.F.R. §1307.03](#)) that [Iowa Code Chapter 124E](#) is an exemption from federal drug laws, either by joining the current federal petition initiated by the petitioner on January 28, 2019, or by filing a similar application with the DEA. See [Petition to Exempt State-Authorized Use of Medical Cannabis, January 28, 2019](#).

A federal exemption exists for a controlled substance in the same federal classification as cannabis, federal Schedule 1. See [21 C.F.R. §1307.31](#). Federal exemption covers all federal agencies, as well as banking ([18 U.S.C. §1956](#), [18 U.S.C. §1957](#)), and eliminates the excessive tax burden under [26 U.S.C. §280E](#). Federal exemption is the only way to guarantee federal

funding and resolve all the issues related to differences between state and federal drug laws.

Thank you!

Signed this 31st day of August, 2020.

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cc: Lucas Nelson, MedPharm, Iowa
State Senator Rich Taylor
State Senator Brad Zaun
State Senator Jack Whitver
State Representative Jarad Klein

Exhibits:

1. [Petition to IDPH, dated June 7, 2020.](#)
2. [Supplement Brief to DEA, dated August 27, 2020.](#)