



**Iowa Department of Public Health**  
Protecting and Improving the Health of Iowans

---

Gerd W. Clabaugh, MPA  
Director

Kim Reynolds  
Governor

Adam Gregg  
Lt. Governor

January 7, 2020

Carl Olsen  
130 E Aurora Ave  
Des Moines, IA 50313-3654

RE: Petition for Agency Action

Dear Mr. Olsen,

On September 21, 2019, you submitted a Petition for Agency Action to the Iowa Department of Public Health (IDPH) requesting that IDPH file an application with the Drug Enforcement Administration to obtain exemption from federal drug laws and regulations for Iowa's medical cannabidiol program. On September 22, 2019, you filed an amended Petition, correcting a typo on page 5.

Specifically, your Petition asserts that in the absence of any evidence that the Iowa General Assembly intended to adopt a medical cannabidiol program that is in direct conflict with federal drug laws and regulations, IDPH is obligated to seek an exemption for Iowa's program to reconcile what may be a perceived, but unintended, conflict between state and federal law.

This petition was preceded by a Petition for Recommendation you filed with the Iowa Medical Cannabidiol Board on April 13, 2019. That Petition requested that the Board recommend that IDPH apply for a federal exemption with the DEA as previously outlined. At a meeting on August 2, 2019, the Iowa Medical Cannabidiol Board unanimously recommended that IDPH consider requesting the aforementioned exemption from the DEA.

As noted in your Petition of September 22, 2019, a total of 47 states have enacted legislation accepting the medical use of *Cannabis* or its derivatives. To the best of our collective knowledge, none of these states have moved forward with an application to the DEA requesting the kind of federal exemption your Petition suggests is required.

Iowa Code chapter 124E does not mandate that IDPH seek an exemption from federal law and regulations for Iowa's medical cannabidiol program. To date, neither the DEA nor any other federal agency has taken any adverse action we are aware of related to Iowa's medical cannabidiol program, including the activities mandated and authorized by the Iowa General Assembly. For the foregoing reasons, IDPH declines to submit the requested application for exemption at this time.

Sincerely,

Sarah G. Reisetter  
Deputy Director