**44:62:01:01.  Form of petition for declaratory ruling.** A person may request a ruling as to the applicability of a statute or rule issued by the Department of Health by filing a written petition in substantially the following form:

**South Dakota Department of Health**

**Petition for Declaratory Ruling**

 Pursuant to the provisions of SDCL 1-26-15, (name of petitioner), (title or capacity of petitioner), (address of petitioner), does hereby petition the South Dakota Department of Health to issue a declaratory ruling in regard to the following:

 1.  The statute or rule in question is: (identify and quote the pertinent statute or rule).

 2.  The facts and circumstances which give rise to the issue to be answered by the department are:

 3.  The precise issue to be answered by the department is:

 Dated at (city and state), this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of petitioner)

 **Source:** 21 SDR 85, effective October 16, 1994.

 **General Authority:** SDCL 34-1-25.

 **Law Implemented:** SDCL 1-26-15.