



2021 South Dakota Legislature
Senate Bill 6
ENROLLED

AN ACT

ENTITLED An Act to correct technical errors in statutory cross-references related to the Department of Social Services.

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

Section 1. That § 26-6-20.8 be AMENDED.

26-6-20.8. Revocation of license--Cause.

Failure of any group home or care center to keep complete records or to comply with any other provision of §§ 26-6-20.1 to 26-6-20.10, inclusive, shall constitute cause for revocation of the licenses held by the administrator or operator of such homes, centers, or facilities.

Section 2. That § 34-23B-6 be AMENDED.

34-23B-6. Referral to alcohol or drug program--Immunity from liability.

Any physician, physician's assistant, nurse, certified nurse practitioner, certified nurse midwife, counselor, social worker, licensed or registered child welfare provider, employee or volunteer of a domestic abuse center, chemical dependency counselor, or safety sensitive position as defined in § 3-6C-1 who provides services to a pregnant woman may make a referral to a prevention or treatment program accredited pursuant to chapter 34-20A if the provider has information that a pregnant woman is engaging in the abusive use of alcohol or use of any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapter 22-42 or 34-20B. Any such provider, who, in good faith, makes a referral to a prevention or treatment program accredited pursuant to chapter 34-20A of a pregnant woman engaging in abusive use of alcohol, abusive use of a lawfully prescribed controlled substance, or use of any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapter 22-42 or 34-20B, is immune from any liability, civil or criminal, that might otherwise be incurred or imposed, and has the same immunity with respect to participation in any judicial proceeding resulting from

the referral. This immunity also extends to any public official who in good faith is involved in the investigation of such conduct or to any person described in this section who in good faith cooperates with any public official in an investigation. Any referral pursuant to this section is permissive and nothing in this section requires the making of any referral.

An Act to correct technical errors in statutory cross-references related to the Department of Social Services.

I certify that the attached Act originated in
the:
Senate as Bill No. 6

Received at this Executive Office
this ____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 6
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State