



2021 South Dakota Legislature

Senate Bill 167

JOINT APPROPRIATIONS ENGROSSED

Introduced by: **Senator Hunhoff**

1 **An Act to establish criteria for a regional nursing facility designation, to provide an**
 2 **appropriation therefor, and to declare an emergency.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **34-12-35.12. Regional nursing facility--Designation.**

6 A nursing facility may submit to the Department of Human Services an application
 7 for designation as a regional nursing facility. In order to obtain the designation, a nursing
 8 facility must:

9 (1) Be enrolled and in good standing with South Dakota Medicaid;

10 (2) Provide home and community-based services in the region through an affiliation or
 11 a contractual arrangement;

12 (3) Demonstrate intent to construct a new nursing facility or to substantially remodel
 13 an existing facility, upon merging with one or more health care facilities within a
 14 thirty-mile radius;

15 (4) Demonstrate that the newly constructed nursing facility or the substantially
 16 remodeled facility will:

17 (a) Support a homelike environment with a cluster, neighborhood, or household
 18 model layout;

19 (b) Contain single occupancy rooms and toilet areas;

20 (c) Abide by best practices regarding infection control and prevention;

21 (d) Allow for private visitation; and

22 (e) Support other best practices related to aging;

23 (5) Meet any other criteria set forth in rules promulgated by the department for the
 24 implementation of this section.

25 Upon approval of the application and completion of the construction or remodeling
 26 referenced in this section, the department shall designate the facility as a regional nursing

1 facility. Upon a determination by the department that the proposal is budget-neutral for
2 South Dakota Medicaid, the department shall reimburse the facility in accordance with the
3 regional nursing facility rate methodology.

4 The department shall promulgate rules, in accordance with chapter 1-26, to
5 implement this section.

6 **Section 2.** There is hereby appropriated from the general fund the sum of
7 \$6,000,000 to the Governor's Office of Economic Development, for the purposes of
8 awarding grants to:

9 (1) Entities renovating vacated nursing facilities in accordance with § 34-12-35.12;

10 (2) Reimburse nursing facilities for reasonable costs incurred in preparing a regional
11 plan;

12 (3) Assist entities with the costs of engaging in other acts consistent with a regional or
13 community health plan approved by the office; or

14 (4) Assist entities with the costs of any other activity approved by the state.

15 The Governor's Office of Economic Development may accept grant applications
16 from a regional nursing facility for a period of one year after the facility is awarded that
17 designation in accordance with § 34-12-35.12.

18 No grant awarded under this section for the renovation of a vacated nursing facility
19 may exceed the lesser of one million dollars or fifty percent of the total renovation cost.

20 **Section 3.** The commissioner of the Governor's Office of Economic Development shall
21 approve vouchers and the state auditor shall draw warrants to pay expenditures authorized
22 by this Act.

23 **Section 4.** Any amounts appropriated in this Act now lawfully expended or obligated shall
24 revert in accordance with the procedures prescribed in chapter 4-8.

25 **Section 5.** Whereas, this Act is necessary for the support of the state government and its
26 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
27 full force and effect from and after its passage and approval.