



2021 South Dakota Legislature

Senate Bill 167

HOUSE ENGROSSED

Introduced by: **Senator Hunhoff**

1 **An Act to establish criteria for a regional nursing facility designation.**

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

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

4 **34-12-35.12. Regional nursing facility--Designation.**

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

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

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

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

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

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

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

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

20 (d) Allow for private visitation; and

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

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

24 Upon approval of the application and completion of the construction or remodeling
 25 referenced in this section, the department shall designate the facility as a regional nursing
 26 facility. Upon a determination by the department that the proposal is budget-neutral for

1 South Dakota Medicaid, the department shall reimburse the facility in accordance with the
2 regional nursing facility rate methodology.

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