



2021 South Dakota Legislature
Senate Bill 167
ENROLLED

AN ACT

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

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

Section 1. That a NEW SECTION be added:

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

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

- (1) Be enrolled and in good standing with South Dakota Medicaid;
- (2) Provide home and community-based services in the region through an affiliation or a contractual arrangement;
- (3) Demonstrate intent to construct a new nursing facility or to substantially remodel an existing facility, upon merging with one or more health care facilities within a thirty-mile radius;
- (4) Demonstrate that the newly constructed nursing facility or the substantially remodeled facility will:
 - (a) Support a homelike environment with a cluster, neighborhood, or household model layout;
 - (b) Contain single occupancy rooms and toilet areas;
 - (c) Abide by best practices regarding infection control and prevention;
 - (d) Allow for private visitation; and
 - (e) Support other best practices related to aging;
- (5) Meet any other criteria set forth in rules promulgated by the department for the implementation of this section.

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

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

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

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

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 167

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. 167
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State