

MINUTES

Rules Review Committee



Representative Jon Hansen, Chair
Senator Jean Hunhoff, Vice Chair

Four hundred seventh meeting
Tuesday, April 5, 2022

Room 414 – State Capitol
Pierre, South Dakota

The four hundred seventh meeting of the Interim Rules Review Committee (IRRC) was called to order by Senator Jean Hunhoff, Vice Chair, at 10:02 a.m. (CT) on April 5, 2022, in Room 414 at the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members present: Representatives Ryan Cwach and Jon Hansen, Chair; and Senators Red Dawn Foster and Jean Hunhoff, Vice Chair. Representative Kevin Jensen and Senator Timothy Johns were excused. Staff members present were John McCullough, Code Counsel, Kelly Thompson, Supervisor of Text Editing Services, and Hilary Carruthers, IT Support Specialist.

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. This meeting was webcast live. Referenced documents distributed at the meeting and the archived webcast are available at the Legislative Research Council (LRC) website at <http://sdlegislature.gov>.

Approval of Minutes

Representative Cwach moved, seconded by Representative Hansen, that the March 3, 2022, meeting minutes be approved. Motion prevailed on a roll call vote with 4 ayes and 2 excused. Voting aye: Cwach, Foster, Hansen, and Hunhoff. Excused: Jensen and Johns.

Staff Report

Mr. John McCullough, Code Counsel, advised members that the Administrative Rules Drafting Manual is currently being updated and will be made available online within a month. The next meeting of the Interim Rules Review Committee is May 3, 2022; currently there are five packets of proposed rules that may be considered at that meeting.

Rules Reviewed

Board of Medical and Osteopathic Examiners (Department of Health): Amend rules to:

- Clarify the definition of supervision between an occupational therapist and occupational therapy assistant;
- Repeal Article 20:85 related to the regulation of medical assistants; and
- Remove the reference to EMT-student status.

Ms. Brooke Blaaid and Ms. Margaret Hansen, Board of Medical and Osteopathic Examiners, reviewed the proposed rules.

Senator Hunhoff asked about the supervision process for an occupational therapist overseeing an occupational therapist assistant in situations in which a presence by telecommunications is needed. Ms. Hansen replied that an occupational therapist may be supervising multiple assistants and it would not be possible for them to always physically observe them during treatment. In those instances, video and telephonic options would be used for communication. Supervision agreements are put in place detailing how therapy will be provided and such provisions are included in those agreements.

Representative Hansen moved, seconded by Senator Foster, that the review of the rules proposed by the Board of Medical and Osteopathic Examiners (Department of Health) is complete. Motion prevailed on a roll call vote with 4 ayes and 2 excused. Voting aye: Cwach, Foster, Hansen, and Hunhoff. Excused: Jensen and Johns.

Department of Transportation: Amend a rule to modify the speed limits on U.S. Highway 12 in and around the east side of Ipswich.

Ms. Karla Engle, Department of Transportation, reviewed the proposed rules.

Representative Hansen moved, seconded by Senator Foster, that the review of the rules proposed by the Department of Transportation is complete. Motion prevailed on a roll call vote with 4 ayes and 2 excused. Voting aye: Cwach, Foster, Hansen, and Hunhoff. Excused: Jensen and Johns.

South Dakota Lottery (Department of Revenue): Amend rules to adopt official game rules that are set and adopted by the Multi-State Lottery Association for the Lotto America game.

Mr. Norm Lingle, South Dakota Lottery, reviewed the proposed rules which will add a third weekly drawing, on Mondays, for the Lotto America game. If the rules are approved, the first Monday drawing will be July 18, 2022.

Representative Hansen moved, seconded by Senator Foster, that the review of the rules proposed by the South Dakota Lottery (Department of Revenue) is complete. Motion prevailed on a roll call vote with 4 ayes and 2 excused. Voting aye: Cwach, Foster, Hansen, and Hunhoff. Excused: Jensen and Johns.

Public Testimony: General Purposes

No public testimony was offered or received.

Adjournment

Senator Foster moved, seconded by Representative Hansen, that the meeting be adjourned. Motion prevailed by voice vote.

Vice Chair Hunhoff adjourned the meeting at 10:22 a.m.