



## 2023 South Dakota Legislature

# Senate Bill 9

*Introduced by: The Committee on Health and Human Services at the request of the Department of Human Services*

1 **An Act to modify discharge notice procedures applicable to developmentally**  
2 **disabled persons.**

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

4 **Section 1. That § 27B-3-46 be AMENDED:**

5 **27B-3-46.** The director, based upon the recommendation of the person's  
6 interdisciplinary team, may at any time discharge a voluntarily admitted person. If a  
7 person with a developmental disability was voluntarily admitted by a parent or guardian,  
8 the director shall notify the parent or guardian of the discharge ~~ten days~~ prior to the  
9 person's release, in accordance with 42 C.F.R. § 483.440(b)(4)(ii), as of January 1, 2023,  
10 and shall notify the parent or guardian of other supports and services available in an  
11 alternative setting.