

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

373U0631

## HOUSE BILL NO. 1248

Introduced by: Representatives Latterell, Ecklund, Gosch, Greenfield, Haggar (Don), Haggar (Jenna), Hansen, Heinemann (Leslie), Hickey, Kaiser, Killer, Magstadt, May, Munsterman, Olson (Betty), Otten (Herman), Peterson, Schoenfish, Sly, Soli, and Steele and Senators Omdahl, Bradford, Jensen, Kirkeby, Krebs, Otten (Ernie), and Welke

1 FOR AN ACT ENTITLED, An Act to allow assisted living centers to accept and retain  
2 residents with dementia.

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

4 Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any assisted living center licensed under chapter 34-12 may accept or retain a resident with  
7 dementia provided that the resident's licensed physician certifies at least once every six months  
8 that the assisted living center can meet the needs of the resident and that it is in the best interest  
9 of the health and well-being of the resident to reside in the assisted living center. The  
10 Department of Health may not promulgate any rule that prohibits, prevents, or interferes with  
11 an assisted living center from accepting or retaining a resident pursuant to this section.

