

AGENDA

Interim Rules Review Committee



Senator Jean Hunhoff, Chair
Representative Jon Hansen, Vice Chair

Four hundred seventeenth meeting
Tuesday, June 13, 2023

Room 414 – State Capitol
Pierre, South Dakota

*Those wishing to testify must register by June 8, 2023, by email to Kelly.Thompson@sdlegislature.gov.
Testifiers should provide their full names, whom they are representing, city of residence, which proposed rules they will be addressing, whether they are a proponent or opponent, and if they will be testifying remotely or in person.*

10:00 a.m. CT:

Call to order, roll call, and approval of minutes

Review of proposed rules

Senator Hunhoff

Department of Health: Amend a rule to add dental hygienists to the list of professions eligible to participate in the Rural Healthcare Facility Recruitment Assistance Program.

South Dakota Board of Massage Therapy (Department of Health): Repeal a rule that requires fees to be remitted to the Board of Massage Therapy in the form of a personal check, cashier's check, certified check, or money order.

South Dakota Housing Development Authority: Adopt rules to specify guidelines, criteria, and processes for the application, approval, and disbursement of loans and grants provided through the South Dakota housing infrastructure fund.

Representative Hansen

South Dakota Weed and Pest Control Commission (Department of Agriculture and Natural Resources): Amend a rule to add wild parsnip to the local noxious weed and declared pest list.

Department of Agriculture and Natural Resources: Amend rules to:

- Update pest control certification and training regulations in accordance with the department's signed certification and training plan with the Environmental Protection Agency;
- Update pesticide recycling rules on types of containers; and
- Waive the pre-registration requirement for waste pesticide disposal.

Department of Social Services: Amend rules to:

- Repeal four chapters;
- Add a new chapter covering the licensing requirements for family day care homes, licensed day care programs, and before and after school care;
- Streamline and clarify rules related to group care centers, residential treatment centers, and intensive residential treatment centers;

- Apply the 15:1 ratio for five-year-old children for a licensed program;
- Increase by one the number of infants a family day care provider can care for;
- Change the group size to align with the capacity of a room and for licensed programs serving twenty or less to have a ratio of 10:1 in a mixed age group with no more than four children under age two;
- Expand the duties of a 14-year-old staff member when working at a before or after school program;
- Remove the requirement for a family day care provider to have a physical examination;
- Remove the limitation on the number of hours a substitute provider can be used;
- Remove the requirement to have a staff training plan;
- Remove the requirement for annual training for bus drivers or other staff who do not care for children;
- Reduce the ongoing training requirements for family day care providers; and
- Incorporate style and form edits.

Department of Social Services: Amend rules to:

- Update the Temporary Assistance to Needy Families (TANF) payment standard amounts;
- Update federal medical services eligibility standards that are reflected in rule;
- Update the Medicaid eligibility categories to remove the Limited Coverage Pregnancy Group;
- Extend the eligibility for the Post-Partum Group from 60 days to 12 months; and
- Add the new Adult Group of individuals aged 19 or older and under age 65.

Representative DeGroot

Department of Game, Fish and Parks: Amend rules to:

- Modify the number of waterfowl licenses available to nonresidents;
- Correct an erroneous unit description in the West River deer season;
- Expand hunting opportunities in the West River season by modifying unit 49A;
- Modify unit RFD-SL4 by restricting the type of weapon that can be used to take a deer;
- Modify the open units on Lacreek Refuge for the deer hunting season;
- Modify the time period for which hunting can only be done by archery equipment within Custer State Park; and
- Modify the closed units for the apprentice hunter deer season and youth deer season by expanding opportunity on Fort Meade Bureau of Land Management units.

Representative Healy

Office of the Attorney General: Adopt rules to provide information about the form to be used by law enforcement agencies to file a forfeiture report, the deadline to submit a forfeiture report, and the procedures necessary to submit the report.

Senator Mehlhaff

South Dakota Division of Insurance (Department of Labor and Regulation): Amend a rule to incorporate the 2023 Medicare Supplement coverage amounts set by the federal government.

Staff Report:

- Action on proposed changes to PROCEDURES AND FORMS FOR ADOPTING PERMANENT RULES;
- Action on proposed changes to FORM 3 – Admission of Service; and
- Action on staff proposal to scan the ARSD to find repealed Code sections listed as General Authority and Law Implemented, and alert enforcing agencies to the same.

Adjourn

PLEASE NOTE: Breaks will be at the call of the chair.

PLEASE NOTE: The above times are approximate.

Written testimony must be received at least 48 hours prior to the meeting to be considered at the meeting.

Members: Senators Red Dawn Foster, Jean Hunhoff, and Jim Mehlhaff and **Representatives** Roger DeGroot, Jon Hansen, and Erin Healy

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