

Regulatory Workgroup Report

1. Increase the Amount Permitted for the Personal Needs Allowance under SDAR 67:46:06:05

This is a concern that has been brought up by family members of Medicaid recipients, as the current amount is believed to be insufficient to meet the personal needs of the recipients. An increase in the amount could help ensure the personal needs of elderly residents are being met without needing to be supplemented by family members or staff in the facilities where the residents live.

The workgroup is unsure as to how much the amount should be increased. LRC will be following up with additional research on the recent increase that occurred in North Dakota and how the surrounding states have reached their set amounts for the allowance. LRC will also look at states that are at the lower end (Nevada and Alabama specifically) to determine if why those states have not increased their amounts past the amount set under federal regulation and if there are supplemental reimbursements or funds in those states for Medicaid recipients to use towards their personal needs.

Resources Needed:

- A special appropriations bill would need to be drafted asking for the funds required for an increase to the personal needs allowance.

2. Have a Round Table Discussion with Members of the SD delegation in Washington on Federal Regulations Impacting SD Facilities

The committee would extend an invitation to the South Dakota representatives in D.C. to take part in the next committee meeting to discuss issues coming up with federal regulations. A resolution could be drafted which address concerns from all the workgroups regarding federal regulations that impact South Dakota facilities. Addressing telehealth services is of a high importance, as well as addressing proposed federal regulation changes to require a minimum staffing rule where a registered nurse would need to be on site 24/7. Bringing these issues to the attention of the state's D.C. representation could bring these concerns to the forefront of the representatives' attention and possible reform.

Resources Needed:

- N/A