

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

693A0366

HOUSE BILL NO. 1079

Introduced by: Representative Eccarius and Senators Aker and Whiting

1 FOR AN ACT ENTITLED, An Act to repeal requirements for health care providers to report
2 capital expenditures in excess of one hundred thousand dollars.

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

4 Section 1. That § 34-1-34 be repealed.

5 ~~— 34-1-34. Terms used in §§ 34-1-34 to 34-1-37, inclusive, mean:~~

6 ~~— (1) "Capital expenditure," any outlay of funds used either to add to the value; to~~
7 ~~purchase, lease, or rent; or to extend the useful life of property expected to produce~~
8 ~~benefits over a period of time greater than one year acquired by a health care~~
9 ~~provider;~~

10 ~~— (2) "Department," the department of health;~~

11 ~~— (3) "Health care provider," a physician licensed pursuant to chapter 36-4; a health care~~
12 ~~facility licensed pursuant to chapter 34-12; or a person who owns or operates a~~
13 ~~mobile unit of medical equipment within this state;~~

14 ~~— (4) "Related organization," a subsidiary of a health care provider; an organization which~~
15 ~~has control of or is controlled by a health care provider; or an organization which has~~
16 ~~common ownership with a health care provider.~~

1 Section 2. That § 34-1-35 be repealed.

2 ~~—34-1-35. Each health care provider in this state shall report, on a form provided by the~~
3 ~~department, any capital expenditure which exceeds one hundred thousand dollars made by the~~
4 ~~health care provider or a related organization for a single unit of medical equipment or a single~~
5 ~~project involving construction or the provision of new health care services. The department may~~
6 ~~also request information related to the utilization of cost or charges for services offered by or on~~
7 ~~behalf of the health care provider with respect to those projects. No project or unit of medical~~
8 ~~equipment may be separated into components in order to avoid the reporting threshold.~~

9 Section 3. That § 34-1-36 be repealed.

10 ~~—34-1-36. The department may use the reports required in § 34-1-35 to determine the effect~~
11 ~~of capital expenditures on accessibility and cost of health care services.~~

12 Section 4. That § 34-1-37 be repealed.

13 ~~—34-1-37. The department shall promulgate rules pursuant to chapter 1-26 governing the~~
14 ~~provision of information, reports, and the use of information as provided in §§ 34-1-35 and~~
15 ~~34-1-36.~~