

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

688H0594

HOUSE BILL NO. 1205

Introduced by: Representatives Van Norman and Bradford and Senators Hagen and de Hueck

1 FOR AN ACT ENTITLED, An Act to allow for nursing facilities to be constructed on American
2 Indian reservations under certain circumstances.

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

4 Section 1. Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, a new nursing
5 facility as defined in § 34-12-1.1 may be constructed, operated, and maintained in an area if the
6 facility is to be located on an American Indian reservation and is required to serve a local
7 population previously unserved through lack of vacancies in facilities within a forty-five-mile
8 radius. No more than one such nursing facility may be located within the same American Indian
9 reservation, and the number of beds in the nursing facility may not exceed fifty. The nursing
10 facility shall meet the specifications of chapter 34-12 for a licensed nursing facility in order to
11 participate in the medicaid program.

