



2021 South Dakota Legislature
Senate Bill 32
ENROLLED

AN ACT

ENTITLED An Act to revise certain provisions regarding access critical nursing facilities.

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

Section 1. That § 34-12-35.5 be AMENDED.

34-12-35.5. Access critical nursing facilities.

The Department of Human Services shall designate access critical nursing facilities annually as part of the medicaid rate setting process. The department shall designate the access critical nursing facilities according to the following criteria:

- (1) No other nursing facility is located within twenty miles;
- (2) The nursing facility is located in the largest municipality within thirty-five miles, unless the next closest nursing facility is located more than fifty miles from any other nursing facility;
- (3) The nursing facility provides nursing facility services;
- (4) The nursing facility is integrated with other health care services, either through affiliation with other services or through formal agreement;
- (5) The current five-year average number of occupied beds in the facility is less than sixty; and
- (6) The nursing facility agrees to relinquish any excess moratorium beds that are authorized pursuant to § 34-12-35.4.

An Act to revise certain provisions regarding access critical nursing facilities.

I certify that the attached Act originated in
the:
Senate as Bill No. 32

Received at this Executive Office
this ____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

Office of the Secretary of State

ss.

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 32
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State