

Minutes: House Health and Human Services

Tuesday, February 03, 2026 7:45 AM

Roll Call

Present: Rep. Rehfeldt, Rep. Fosness, Rep. Halverson, Rep. Jordan, Rep. Garcia, Rep. Emery, Rep. Andera, Rep. Kayser, Rep. Schaeffbauer, Rep. Manhart, Rep. Baxter, Rep. Heinemann, and Rep. Mulder

The meeting was called to order by Representative Mulder

MOTION: TO APPROVE THE MINUTES OF THURSDAY, JANUARY 29TH

Moved by: Heinemann
Second by: Manhart
Action: Prevailed by voice vote

HB 1143 : authorize the possession and self-administration of nasal glucagon by a student on school property and at school-related events and activities.

Presented by: Representative Taylor Rehfeldt
Proponents: Matt Prokop, American Diabetes Association
Maynard Konechne, South Dakota Emergency Medical Services Association

MOTION: AMEND HB 1143

1143A

On page 1, line 1, of the Introduced bill, delete " nasal glucagon" and insert " diabetes medications"

On page 1, line 7, of the Introduced bill, after "epinephrine," delete " or"

On page 1, line 7, of the Introduced bill, delete " nasal glucagon" and insert " insulin, or other diabetes medication"

On page 1, line 9, of the Introduced bill, after "relation;" delete " and"

On page 1, line 10, of the Introduced bill, after "and

(3)" insert ""Related equipment and supplies," medical equipment and supplies necessary for a student's management and treatment of diabetes; and

(4) "

On page 1, line 15, of the Introduced bill, after "medication" insert ", and possess and use related equipment and supplies,"

On page 1, line 20, of the Introduced bill, after "medication" insert ", or by a prescriber's school orders"

On page 2, line 2, of the Introduced bill, after "medication" insert ", and possess and use related equipment and supplies,"

On page 2, line 7, of the Introduced bill, after "medication" insert ", or possession or use of related equipment and supplies,"

On page 2, line 14, of the Introduced bill, after "self-administering" insert " and managing"

On page 2, line 18, of the Introduced bill, after "administered;" delete " and"

On page 2, line 19, of the Introduced bill, after "prescribed" insert "; and

(f) The types of related equipment and supplies the student is permitted to possess and use, if applicable"

Moved by: Jordan
Second by: Fosness

Action: Prevailed by voice vote

MOTION: DO PASS HB 1143 AS AMENDED

Moved by: Garcia

Second by: Heinemann

Action: Prevailed by Majority Members Elect (12-0-1-0)

Voting Yes: Rehfeldt, Fosness, Halverson, Jordan, Garcia, Andera, Kayser, Schaeftbauer, Manhart, Baxter, Heinemann, and Mulder

Excused: Emery

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1143 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1068 : authorize the dispensing of ivermectin and hydroxychloroquine under a written protocol developed by a physician.

Presented by: Representative Bobbi Andera

Proponents: Chet Ellsworth, Self

Opponents: Daniel Heinemann, Self

Tyler Laetsch, Board of Pharmacy

Melissa Magstadt, Department of Health

Lindsey Riter-Rapp, South Dakota Pharmacists Association

Tim Rave, South Dakota Association of Healthcare Organizations

Justin Bell, South Dakota State Medical Association

Kim Malsam-Rysdon, Avera Health

Ally Dawes, Sanford Health

Samuel Matson, South Dakota Trial Lawyers Association

Alan Solano, Monument Health

MOTION: AMEND HB 1068

1068A

On page 1, line 2, of the Introduced bill, delete " physician" and insert " health care provider, and to provide liability protection therefor"

On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That a NEW SECTION be added to chapter 36-4:
"

On page 1, line 5, of the Introduced bill, after "36-4:" delete "A physician, acting in good faith in accordance with section 2 of this Act, is not criminally or civilly liable, or subject to disciplinary or adverse action from the State Board of Medical and Osteopathic Examiners, except if the physician's actions constitute gross negligence or willful misconduct."

On page 1, line 11, of the Introduced bill, delete " physician licensed in accordance with chapter 36-4" and insert " licensed health care provider acting within the provider's scope of practice"

On page 1, line 20, of the Introduced bill, after "practice." insert "

A pharmacist, acting in good faith in accordance with this section, is not criminally or civilly liable, or subject to disciplinary or adverse action from the board, except if the actions constitute gross negligence or willful misconduct.

Any other health care provider, acting in good faith in accordance with this section, is not criminally or civilly liable, or subject to disciplinary or adverse action from the provider's licensure board, except if the actions constitute gross negligence or willful misconduct."

On page 1, line 21, of the Introduced bill, after "practice." delete "Section 3. That a NEW SECTION be added to chapter 36-11:

"

On page 1, line 22, of the Introduced bill, after "36-11:" delete "A pharmacist, acting in good faith in accordance with section 2 of this Act, is not criminally or civilly liable, or subject to disciplinary or adverse action from the board, except if the pharmacist's actions constitute gross negligence or willful misconduct."

Moved by: Jordan
Second by: Garcia
Action: Prevailed by voice vote

MOTION: DEFER HB 1068 TO THE 41ST LEGISLATIVE DAY

Moved by: Fosness
Second by: Halverson
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1068 AS AMENDED

Moved by: Schaeffbauer
Second by: Jordan
Action: Prevailed by Majority Members Elect (8-5-0-0)

Voting Yes: Jordan, Garcia, Andera, Kayser, Schaeffbauer, Manhart, Baxter, and Heinemann

Voting No: Rehfeldt, Fosness, Halverson, Emery, and Mulder

HB 1056 : require that the Department of Social Services submit a federal waiver request to exclude soft drinks from the supplemental nutrition assistance program.

Presented by: Representative Taylor Rehfeldt

Proponents: T.J. Nelson, Foundation for Government Accountability Action (Handout(s) #1, 2)
Michael Lee Bockorny, South Dakota Association for the Education of Young Children/ Early Learner SD
Paul H Knecht, South Dakota Dental Association
Justin Bell, South Dakota State Medical Association
Jennifer Stalley, South Dakota Academy of PAs
Deb Mortenson, South Dakota Chiropractors Association

Opponents: Laura Ringling, Governor's Office
Nathan Sanderson, South Dakota Retailers Association
Doug Marshall Beech, Casey's General Stores Inc. (Handout(s) #3)
RF Buche, Self
Samuel J Nelson, South Dakota Corn Growers Association
Craig Matson, American Property and Casualty Insurance Association
Roger Tellinghuisen, Moyle Petroleum Company
Tura Synhorst, Self

MOTION: DO PASS HB 1056

Moved by: Andera
Second by: Heinemann
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: REFER HB 1056 TO JOINT COMMITTEE ON APPROPRIATIONS WITHOUT RECOMMENDATION

Moved by: Emery
Action: Died for lack of a second

Revert to previous motion**MOTION: DO PASS HB 1056**

Moved by: Andera
Second by: Heinemann
Action: Prevailed by Majority Members Elect (11-2-0-0)

Voting Yes: Rehfeldt, Fosness, Halverson, Jordan, Garcia, Andera, Kayser, Manhart, Baxter, Heinemann, and Mulder

Voting No: Emery and Schaeffbauer

Chairman Representative Mulder passed the gavel to Vice Chairman Representative Heinemann

HB 1112 : modify the definition of an electronic smoking device.

Presented by: Representative Tina Mulally
Proponents: Jordan D. Mason, South Dakota Retailers for Better Alternatives
Caleb Rose, Black Hills Vapors LLC
Opponents: Jennifer Stalley, American Cancer Society Cancer Action Network
Jennifer Stalley, American Heart Association

MOTION: DEFER HB 1112 TO THE 41ST LEGISLATIVE DAY

Moved by: Mulder
Second by: Emery
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1112

Moved by: Jordan
Second by: Garcia
Action: Prevailed by Majority Members Elect (7-6-0-0)

Voting Yes: Jordan, Garcia, Andera, Kayser, Schaeffbauer, Manhart, and Baxter

Voting No: Rehfeldt, Fosness, Halverson, Emery, Heinemann, and Mulder

MOTION: ADJOURN

Moved by: Fosness
Second by: Rehfeldt
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ BRIAN MULDER
Brian Mulder, Chair