



SOUTH DAKOTA REGISTER

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FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council.
Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

Department of Agriculture and Natural Resources: (April 6, 2023) intends to amend rules to update pest control certification and training regulations in accordance with the department's signed certification and training plan with the Environmental Protection Agency, update pesticide recycling rules on types of containers, and waive the pre-registration requirement for waste pesticide disposal. The general authority for these rules, as cited by the department, is SDCL 38-20A-36, 38-20A-54, and 38-21-51.

A public hearing will be held at the Department of Agriculture and Natural Resources lower-level conference room, 523 East Capitol Avenue, Pierre, South Dakota, on May 11, 2023, at 10:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, the Department of Agriculture and Natural Resources, Agricultural and Environmental Services Division, 523 East Capitol Avenue, Pierre, South Dakota 57501. Material sent by mail or email must reach the department by May 11, 2023, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the department can make arrangements may call (605) 773-3151 at least 48 hours before the public hearing.

Notice

The **Department of Social Services** intends to make changes to the South Dakota Medicaid State Plan to update the provider lists and supplemental payment amounts for the inpatient and nursing facility providers that have a signed care coordination agreement with Indian Health Services and have ensured access and proper coordination of care of health services. The proposed State Plan Amendment (SPA) amends page 14 of Attachment 4.19-A and page 17b of Attachment 4.19-D of the Medicaid State Plan. The supplemental payment amounts will be as follows:

- **Inpatient Provider:** Abbot House Inc., \$2,483; Avera, \$665,354; Bennett County, \$15,277; Black Hills Surgical, \$19,849; Mobridge Regional, \$12,123; Monument Health, \$1,468,161; Lutheran Social Services, \$202; Our Home, \$5,645; Rushmore Ambulatory Surgery, \$5,753; Sanford, \$361,205; and Sioux Falls Children's Home, \$2,780; and
- **Nursing Facility Provider:** Avera, \$70,274; Bennett County, \$30,737; Monument Health, \$2,797; and Sanford, \$31,774.

The department intends to make the SPA effective May 1, 2023 and estimates the fiscal impact will be \$1,030,883 in state funds and \$1,663,531 in federal funds, totaling \$2,694,414 in Federal Fiscal Year 2023 with no fiscal impact in Federal Fiscal Year 2024.

The SPA is available to view on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Copies of the proposed SPA pages are also available at the Department of Social Services, Division of Medical Services. Written requests for a copy of these changes, and corresponding comments may be sent to Division of Medical Services,

Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291, or emailed to MedicaidSPA@state.sd.us. The public comment period will start April 11, 2023, and end May 11, 2023.

SCHEDULED PUBLIC HEARINGS

4-17-2023	<u>South Dakota Board of Education Standards (Department of Education)</u> : Amend rules to create a student teacher permit and advanced student teacher permit; 49 SDR 76, March 6, 2023.
4-18-2023	<u>South Dakota Weed and Pest Control Commission (Department of Agriculture and Natural Resources)</u> : Amend a rule to add wild parsnip to the local noxious weed and declared pest list; 49 SDR 78, March 13, 2023.
4-24-2023	<u>Office of the Attorney General</u> : Adopt rules to provide information about the form to be used by law enforcement agencies to file a forfeiture report, the deadline to submit a forfeiture report, and the procedures necessary to submit the report; 49 SDR 76, March 6, 2023.
5-11-2023	<u>Department of Agriculture and Natural Resources</u> : Amend rules to update pest control certification and training regulations in accordance with the department's signed certification and training plan with the Environmental Protection Agency, update pesticide recycling rules on types of containers, and waive the pre-registration requirement for waste pesticide disposal. The general authority for these rules, as cited by the department, is SDCL 38-20A-36, 38-20A-54, and 38-21-51; 49 SDR 86, April 11, 2023.

RULES REVIEW COMMITTEE MEETINGS

The first meeting of the Interim Rules Review Committee for the 2023 Interim is Tuesday, April 11, 2023, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Future meetings for the 2023 Interim are scheduled for May 2, June 13, July 18, August 8, September 12, and November 7. Find notices of committee meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website and is updated regularly to reflect changes in drafting styles and procedures.