



SOUTH DAKOTA REGISTER

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FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Board of Water and Natural Resources			
Gary L. Drewes Rapid City	Governor	Karlton Adam	10/5/2023 – 6/30/2027
Jacqueline A. Lanning Brookings	Governor	Reappointed	10/5/2023 – 6/30/2027
Civil Service Commission			
James M. Carpenter Pierre	Governor	Reappointed	10/5/2023 – 5/30/2027
Jean M. Morris Pierre	Governor	Reappointed	10/5/2023 – 6/30/2027
Planning Council on Developmental Disabilities			
Valerie M. Husby Brandon	Governor	Reappointed	10/5/2023 – 6/30/2026
South Dakota 911 Coordination Board			
Amy M. Leon Yankton	Governor	Reappointed	10/5/2023 – 6/30/2026
South Dakota Advisory Council on Aging			
Cody P. Seehafer Watertown	Governor	Jean Person	10/4/2023
South Dakota Board of Directors for Educational Telecommunications			
David W. Landry Sioux Falls	Governor	Reappointed	10/5/2023 – 6/30/2026

Jerry C. Oster Yankton	Governor	Reappointed	10/5/2023 – 6/30/2026
South Dakota Board of Technical Education			
Terry J. Sabers Mitchell	Governor	Reappointed	11/1/2023 – 10/31/2026
South Dakota Health and Educational Facilities Authority			
Pat O. Wiederhold Rapid City	Governor	Norbert Sebade	10/5/2023 – 6/30/2028
South Dakota Public Safety Communications Council			
Charles E. Kludt Viborg	Governor	Reappointed	10/5/2023 – 6/30/2025
Workers' Compensation Advisory Council			
Jeff D. Kjenstad Brookings	Governor	Guy Bender	10/31/2023 – 10/30/2026
Michael A. Plank Rapid City	Governor	Randy Stainbrook	10/4/2023 – 10/30/2025

SCHEDULED PUBLIC HEARINGS

10-10-2023	<u>South Dakota Board of Nursing (Department of Health):</u> Adopt and amend rules to revise and modernize the RN and LPN scope and standards of practice to be consistent with practice statutes in SDCL 36-9-3 and 36-9-4 and national standards of practice; update definitions and terms used; clarify supervision requirements of the LPN, update and modernize the IV therapy tasks an LPN may perform, including the administration of blood components, after obtaining additional education and training; and update tasks and IV medications an LPN may not perform or administer; 50 SDR 14, July 31, 2023.
10-11-2023	<u>Department of Social Services:</u> Amend and adopt rules to update citations; update procedure codes that are reimbursed at a percent of the provider's usual and customary charge and included on the applicable fee schedule; clarify coverage for the removal of implanted contraceptives; clarify coverage for routine foot care services for those diagnosed with metabolic, neurologic, or peripheral vascular diseases; update personal care assessment frequency and the information reviewed; clarify reasons for discontinuation of personal care services; remove the certificate of medical necessity requirement to align with Medicare; increase the timeliness of access to breast pumps by updating billing provisions; update treatment plan timing to coordinate with the mental health chapter and current practice; update and clarify nursing facility level of care definitions, categories, and various coverage for services; clarify what settings and services apply to each level of care classification; clarify and detail the specialized therapy services that are covered under the Family Support 360 waiver program and update the applicable procedure codes for billing those services; and remove repealed rule references; 50 SDR 34, September 18, 2023.

10-11-2023	<u>Department of Social Services:</u> Adopt and amend rules to replace the term "division" with "department" throughout most of ARSD articles 67:61 and 67:62 to coincide with the transition of the accreditation and licensing of providers or agencies to the newly formed Office of Licensing and Accreditation within the Department of Social Services; 50 SDR 36, September 18, 2023.
10-11-2023	<u>Department of Human Services:</u> Adopt, amend, and repeal rules to add regulatory definitions for the terms "abuse," "exploitation," and "neglect;" revise criteria for imposing probation on certain providers; specify that providers must afford all participants their rights; specify providers may not allow or condone abuse, neglect, or exploitation; update appeal provisions when services are terminated by a provider; update definitions concerning Family Support Waiver Services; clarify hiring responsibilities under the agency with choice model; add new language concerning the common-law employer model; add specialized therapies as a service covered under the Family Support Waiver; repeal review of a qualified provider; update notice requirements for when an intermediate care facility terminates services; and repeal certain registration requirements for interpreters; 59 SDR 36, September 18, 2023.
10-12-2023	<u>Department of Health:</u> Amend a rule to add Newborn Hearing Screening to South Dakota's newborn screening panel; 50 SDR 35, September 18, 2023.
10-12-2023	<u>Office of the Attorney General:</u> Adopt and amend rules to update and clarify minimum standards, training, and employment regulations for law enforcement officers and 911 telecommunicators; correct certain statutory references and definitions; provide provisions for refusal of school sentinel applications; and expand law enforcement employment eligibility in limited cases, permitting certain technical college students who complete a state-recognized law enforcement program to be potentially eligible for employment prior to reaching age 21; 50 SDR 36, September 18, 2023.
10-17-2023	<u>South Dakota Division of Insurance (Department of Labor and Regulation):</u> Amend a rule to remove the \$25 filing fee paid by a consumer when seeking an external review of an adverse determination made by a health carrier; 50 SDR 46, October 2, 2023.
10-18-2023	<u>Department of Health:</u> Adopt and amend rules to update and clarify the minimum regulations related to operation, physical environment, fire protection, management and administration, physician services, nursing and related care services, dietetic services, medication control, medical record services, hospital diagnostic services, hospital complimentary services, long-term care supportive services, construction standards, additional hospital standards, and swing bed patients' rights necessary for hospitals, specialized hospitals, critical access hospitals, and rural emergency hospitals to maintain the health and safety of patients receiving services in these facilities; and add rural emergency hospitals to ARSD article 44:75 , as authorized by House Bill 1123 during the 2022 legislative session, to outline the minimum regulations necessary to operate a rural emergency hospital. Rural emergency hospitals were designated as a new Medicare provider type for Medicare and Medicaid Services (CMS) in January of 2023; 50 SDR 35, September 18, 2023.
10-24-2023	<u>South Dakota Board of Physical Therapy (Department of Health):</u> Adopt and amend rules to update the application and license renewal fee to accommodate biennial licensure; update the code of ethics for physical therapists; adopt a code of ethics for physical therapist assistants; update the hours of continuing education required for license renewal to accommodate biennial licensure; and update references to the Board of Physical Therapy; 50 SDR 35, September 18, 2023.

RULES REVIEW COMMITTEE MEETINGS

The final meeting of the Interim Rules Review Committee for the 2023 Interim is Tuesday, November 7, 2023, at 8:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Find information regarding 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.

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