



SOUTH DAKOTA REGISTER

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Monday, 8:00 a.m., October 16, 2023

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice

The **Department of Social Services** intends to clarify the South Dakota Medicaid State Plan to ensure stated eligibility categories are consistent with historical interpretation. The proposed state plan amendment (SPA) clarifies the pages to ensure it is clear that children with non-IV-E adoption assistance under age 21 are eligible for Medicaid coverage. These recipients are exempt from the PCCM program. In addition, the SPA ensures that it is clear that reasonable classifications of children under age 21 with an income above 133 percent of the federal poverty level are eligible for Medicaid coverage. The SPA reflects historical interpretation, and no individuals will gain or lose Medicaid coverage due to this clarification. The SPA amends pages 6 and 8 of Attachment 3.1-F and the optional eligibility group MACPro pages.

The department intends to make this SPA effective November 1, 2023, and estimates there will be no fiscal impact in Federal Fiscal Year 2024 and Federal Fiscal Year 2025.

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 emailed to MedicaidSPA@state.sd.us or sent to the Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291. The public comment period will start October 16, 2023, and end November 15, 2023.

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>
Behavioral Health Advisory Council			
Angie M. Dammer Sioux Falls	Governor	Reappointed	10/12/2023 – 10/30/2025
Matthew J. Glanzer Sioux Falls	Governor	Reappointed	10/12/2023 – 10/30/2025
Bryan Harberts Sioux Falls	Governor	Reappointed	10/10/2023 – 10/30/2025
Penny L. Kelley Pierre	Governor	Reappointed	10/11/2023 – 10/30/2025

**Board of Service to the
Blind and Visually Impaired**

George W. Seamon Jr. Pierre	Governor	Kate Kosior	10/5/2023 – 6/30/2026
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**Commission on
Human Rights**

Anthony J. Franken Vermillion	Governor	Reappointed	10/12/2023 – 6/30/2027
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Independent Living Council

Kendra E. Gottsleben Sioux Falls	Governor	Steven Stewart	10/11/2023 – 6/30/2026
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Cindy J. Moit Fort Pierre	Governor	Reappointed	10/11/2023 – 6/30/2026
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Victoria L. Steffes Mitchell	Governor	Roger Bowie	10/10/2023 – 6/30/2026
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**Planning Council on
Developmental Disabilities**

Samantha N. Hynes Pierre	Governor	Joan Adam	10/10/2023
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Tania M. Kostal Tyndall	Governor	Erica Gloor	10/10/2023 – 6/30/2026
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Melanie I. Westin Sioux Falls	Governor	Diane Flahaven Neu	10/12/2023 – 6/30/2026
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Recreational Trails Program

Samuel J. Greear Whitewood	Governor	DeEtte Goss	10/12/2023
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**South Dakota Advisory
Panel for Children with
Disabilities**

Mary A. Fleury Belle Fourche	Governor	Donna Johnson	10/10/2023
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Julie L. Tipton Rapid City	Governor	Erin Schons	10/10/2023 – 6/30/2026
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Jessica J. Vogel Aberdeen	Governor	Kim Wadsworth	10/11/2023 – 6/30/2024
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**South Dakota Board of
Directors for Educational
Telecommunications**

Erika G. Tordsen Sioux Falls	Governor	Tyler Tordsen	10/12/2023 – 6/30/2024
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**South Dakota Health and
Educational Facilities**
Authority

Forrest B. Olson
Sioux Falls

Governor

Roberta Ambur

10/10/2023 – 6/30/2028

**South Dakota Interagency
Coordinating Council**

Teresa L. Campbell
Pierre

Governor

Valerie Kelly

10/10/2023

**Western Interstate
Commission for Higher
Education**

Larry J. Tidemann
Brookings

Governor

Reappointed

10/11/2023 – 6/30/2027

**Workers' Compensation
Advisory Council**

Scott G. Stern
Sioux Falls

Governor

Reappointed

10/10/2023 – 10/30/2025

Michael D. Williams

Governor

Brooke Bohnenkamp

6/14/2023 – 10/30/2025

(corrects previously
published expiration date)

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SCHEDULED PUBLIC HEARINGS

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.