



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 51

Monday, 8:00 a.m., August 26, 2024

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice of Holiday Hours

The Legislative Research Council office will be closed Monday, September 2, 2024, for the Labor Day holiday. The office reopens for regular business hours at 8:00 a.m. on Tuesday, September 3, 2024.

Notice

The **Department of Social Services** intends to amend the South Dakota CHIP State Plan regarding substitution of coverage. As required by the Centers for Medicare and Medicaid Services (CMS) April 2, 2024, final rule (CMS-2421-FS) to remove barriers to children's coverage, the proposed state plan amendment (SPA) removes the ninety-day waiting period prior to CHIP enrollment for substitution of coverage. The SPA amends the CHIP Plan Eligibility template pages CS20: Non-Financial Eligibility - Substitution of Coverage.

The department intends to make this SPA effective July 1, 2024, and estimates there will be no fiscal impact in Federal Fiscal Year 2024 and Federal Fiscal Year 2025 as the State has historically not needed to impose the enrollment waiting period.

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 August 26, 2024, and end September 25, 2024.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

DEPARTMENT OF HEALTH: 44:90:03:17.

History/Notice: 51 SDR 2, July 1, 2024

Hearing: July 29, 2024

Filed: August 20, 2024

Effective: September 9, 2024

[SOUTH DAKOTA DIVISION OF INSURANCE \(DEPARTMENT OF LABOR AND REGULATION\):](#) 20:08:03:01; 20:08:05:27, 20:08:05:27.01.

History/Notice: 51 SDR 5, July 8, 2024

Hearing: July 29, 2024

Filed: August 21, 2024

Effective: September 10, 2024

Executive Appointments

<u>Appointee</u>	<u>Appointed by</u>	<u>Succeeding</u>	<u>Effective/End Date</u>
Board of Service to the Blind and Visually Impaired Richard P. Crawford Sioux Falls	Governor	Reappointed	8/13/2024 - 6/30/2027
Board of Water and Natural Resources Jerry D. Soholt Sioux Falls	Governor	Reappointed	8/20/2024 - 6/30/2028
Council of Economic Advisors John S. Hemmingstad Elk Point	Governor	Reappointed	8/13/2024 - 6/30/2027
Court Appointed Special Advocates Commission Kristie K. Fiegen Sioux Falls	Governor	Reappointed	8/19/2024 - 6/30/2027
Family Support Council Brittany N. Norin Brandon	Governor	Reappointed	8/19/2024 - 6/30/2027
Independent Living Council Jennifer L. Lewis Pierre	Governor	Eric Weiss	8/19/2024 - 6/30/2027
Law Enforcement Officers Standards Commission Jay D. Rasmussen Brandon	Governor	Reappointed	8/16/2024 - 6/30/2026
State Board of Examiners in Optometry Dr. Shane D. Hartman Sioux Falls	Governor	Dr. Ashley Crouch	8/19/2024 - 6/30/2027

**State Board of Medical
and Osteopathic Examiners**Dr. Brittany Azure Bearstail
Spearfish

Governor

Dr. Aaron Shives

8/16/2024 - 10/30/2026

Julie R. Kalahar
Watertown

Governor

New Position

8/16/2024 - 10/30/2027

SCHEDULED PUBLIC HEARINGS

8-27-2024 NOTE: Hearing was originally scheduled for July 23, 2024	<u>South Dakota Electrical Commission (Department of Labor and Regulation):</u> Amend rules to adopt the 2023 National Electrical Code (NEC); implement standards for the approval and management of third-party inspectors; apply the statutory minimum inspection fee of one hundred dollars under SDCL 36-16-30; and formalize the third-party inspector process; 50 SDR 142, May 28, 2024.
9-5-2024	<u>Department of Game, Fish and Parks:</u> Amend rules to cap the number of nonresident turkey licenses in the Black Hills; modify the statewide Archery Spring turkey hunting units; modify the existing fish harvest regulations on Belle Fourche Reservoir; modify snagging on Lake Oahe; modify bobcat trapping and hunting; modify scientific names for certain species of crayfish to reflect updates in taxonomic classification; and modify the species of crayfish that can be taken; 51 SDR 21, August 19, 2024.
9-16-2024	<u>South Dakota Conservation Commission (Department of Agriculture and Natural Resources):</u> Repeal rules defining "urban area" and the purpose of the soil conservation award program; and in alignment with House Bill 1033 enacted in the 2024 legislative session, amend rules to clarify the definition of active agricultural producer; specify who is eligible to receive a natural resources conservation award; clarify the nomination process for the award; refine the criteria used to select award recipients; and modify information pertaining to the submittal of selections to the Conservation Commission; 51 SDR 21, August 19, 2024.
9-19-2024	<u>Department of Public Safety:</u> Amend rules to revise the T50 minimum distillation temperature for certain volatility classes and to adopt the 2024 edition of the Commercial Vehicle Safety Alliance handbook; 51 SDR 22, August 19, 2024.
9-20-2024 NOTE: Hearing was originally scheduled for August 16, 2024	<u>South Dakota Board of Podiatry Examiners (Department of Health):</u> Amend a rule to update the renewal fees to ensure financial viability of the board; 50 SDR 137, May 20, 2024.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2024 Interim is Tuesday, September 10, 2024, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. The final meeting for the 2024 Interim is scheduled for October 22. 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.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Information from the Register is available free of charge on the LRC website (www.sdlegislature.gov/). You may subscribe for electronic delivery of the **South Dakota Register** at [My LRC+](#) on the LRC website.