



SOUTH DAKOTA REGISTER

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Monday, 8:00 a.m., September 23, 2024

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.

Board of Technical Professions (Department of Labor and Regulation): (September 19, 2024) intends to amend rules to update board meeting scheduling guidelines and board member duties; modernize language to allow certain records, state-specific exams, and notices to be stored and transmitted in an electronic format; update the ARE test score validity policy to match NCARB policy, including the elimination of the NCARB "rolling clock" policy; eliminate the use of professional titles by retirees; update the experience and educational requirements for certain types of applications; eliminate fees for duplicate licenses obtained directly through an online portal; repeal board rules regarding disciplinary proceedings; update selected rules with clearer language and provide clear timelines; remove as precondition to taking certain exams, the requirement that an applicant complete the relevant experience requirement (also called "decoupling"); and eliminate the alternative continuing professional development option for architects. The general authority for these rules, as cited by the board, is SDCL [36-18A-22](#), [36-18A-25](#), [36-18A-27](#), [36-18A-28](#), [36-18A-29](#), [36-18A-30](#), [36-18A-31](#), [36-18A-34](#), [36-18A-37](#), and [36-18A-40](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held on October 11, 2024, at 8:30 a.m. (MT) via Microsoft Teams using Meeting ID 226 629 435 808 with passcode urtYWw. Interested parties may also attend by calling (605) 679-7263 and using conference code 533 691 310#. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the Board of Technical Professions, 2525 West Main Street, Suite 211, Rapid City, South Dakota 57702. The rules are also available online at <http://rules.sd.gov>. Comments may also be sent by email to sdbtp@state.sd.us. The deadline to submit written comments for consideration is October 7, 2024. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may call (605) 394-2510 at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on September 16, 2024, served on the Interim Rules Review Committee and the director of the Legislative Research Council, petitions received from interested persons, per [SDCL 1-26-13](#), to establish an administrative rule implementing a one hundred dollar bounty on coyotes, and repeal ARSD [41:08:01:12](#) which sets certain nonresident restrictions on the taking of beaver, bobcat, mink, muskrat, raccoon, and weasel out of season. The [Game, Fish and Parks Commission](#) will review the petitions at its October 3, 2024, meeting.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

SOUTH DAKOTA BOARD OF PHYSICAL THERAPY (DEPARTMENT OF HEALTH): 20:66:03:02, 20:66:03:04.

History/Notice: 50 SDR 142, May 28, 2024
Hearing: August 20, 2024
Filed: September 13, 2024
Effective: October 3, 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 Jeff N. Nelson Garretson	Governor	Reappointed	9/13/2024 - 6/30/2027
Family Support Council Janet L. Whiting* Porcupine	Governor	Reappointed	9/5/2024 - 6/30/2027
*Ms. Whiting's last name was incorrectly reported as Montileaux in the 9/16/2024 edition of the South Dakota Register			

SCHEDULED PUBLIC HEARINGS

9-23-2024	<u>Department of Human Services:</u> Amend a rule to allow developmental disability support providers who do not provide services in South Dakota to satisfy the secretary of state certificate requirements to become a South Dakota provider by a showing of approval and good standing in the state where services are to be provided; 51 SDR 27, September 3, 2024.
9-24-2024	<u>Transportation Commission (Department of Transportation):</u> Amend rules to reduce the speed limits on U.S. Highway 281 in and around Corsica in Douglas County and on State Trunk Highway 28 in and around Lake Norden in Hamlin County; change the speed limits on a segment of State Trunk Highway 47 extending south from its intersection with U.S. Highway 12 and then east from its west junction with State Trunk Highway 20 in Walworth County; and update references to manuals, policies, and other publications relating to signing, utility installations, traffic control, and access management; 51 SDR 27, September 3, 2024.
9-26-2024	<u>Board of Water and Natural Resources (Department of Agriculture and Natural Resources):</u> Amend rules to update director areas for the East Dakota and Vermillion Basin Water Development Districts; 51 SDR 28, September 3, 2024.
9-26-2024	<u>South Dakota Lottery Commission (Department of Revenue):</u> Amend rules to allow for mobile claims, a process by which players may use a mobile device to determine if they have a winning ticket, and to claim the prize thereof between \$101 and \$5,000; clarify existing duties of the Executive

	Director of the South Dakota Lottery; and reflect changes to the Mega Millions product group rules adopted by the Multi State Lottery Association; 51 SDR 35, September 16, 2024.
9-27-2024	Department of Social Services : Amend rules to remove the three-month waiting period for the nonmedicaid children's health insurance program (CHIP) eligibility for individuals who were disenrolled from other coverage, and to make style and form changes; 51 SDR 28, September 3, 2024.
9-27-2024	South Dakota Board of Social Work Examiners (Department of Social Services) : Amend rules to update language that is no longer applicable or antiquated; clarify application requirements; combine relevant sections for clarity; add a multistate licensing category and fee pursuant to the adoption of the Social Work Licensure Compact; update supervision requirements for CSW-PIP candidates; update continuing education requirements; and adopt the most recent version of the NASW code of ethics; 51 SDR 31, September 9, 2024.
9-30-2024	South Dakota Division of Insurance (Department of Labor and Regulation) : Amend rules to update a reference guide; modernize a continuing education course attendance roster; and clarify the timeframe of when a producer must take a continuing education course for long term care plans; 51 SDR 32, September 9, 2024.
10-1-2024	Department of Social Services : Amend rules to update statutory authority and make style and form changes; 51 SDR 32, September 9, 2024.
10-1-2024	Appraiser Certification Program (Department of Labor and Regulation) : Amend rules to adopt the most recently published Uniform Standards of Professional Appraisal Practice and adjust educational course approval terms to match Appraiser Qualifications Course Approval Program durations; 51 SDR 32, September 9, 2024.
10-1-2024 NOTE: Hearing was originally scheduled for August 1, 2024	Division of Labor and Management (Department of Labor and Regulation) : Amend rules to update the source of the reference used to calculate reimbursement rates for providers of workers' compensation dental procedures to the 2023 edition and increase the conversion factor for dental fees; 51 SDR 2, July 1, 2024.
10-2-2024	Department of Health : Amend and repeal rules to update and clarify the minimum regulations for nursing homes and birth centers, and correct reference citations for assisted living, hospital, specialized hospital, critical access hospital, and rural emergency hospital providers; 51 SDR 28, September 3, 2024.
10-3-2024	South Dakota State Brand Board (Department of Agriculture and Natural Resources) : Amend rules to change the Lifetime Travel Permit fee on horses and update laws implemented to current state statutes; 51 SDR 35, September 16, 2024.
10-3-2024	Department of Game, Fish and Parks : Amend rules to establish fees for a Habitat Conservation Emblem; revise fees for park entrance licenses, camping permits, campsite reservations, trail user passes, and the use of park facilities; remove certain definitions pertaining to campgrounds; revise fees related to the sale of firewood; revise fees for licensing boats; and revise fees for hunting and fishing licenses; 51 SDR 35, September 16, 2024.
10-7-2024	South Dakota Board of Medical and Osteopathic Examiners (Department of Health) : Amend, repeal, and adopt rules providing for the regulation and oversight of all emergency medical service personnel under the Board of Medical and Osteopathic Examiners as a result of the passage of Senate Bill 63 and Senate Bill 64 by the 2024 South Dakota Legislature; 51 SDR 31, September 9, 2024.
10-11-2024	Board of Technical Professions (Department of Labor and Regulation) : Amend rules to update board meeting scheduling guidelines and board member duties; modernize language to allow certain records, state-specific exams, and notices to be stored and transmitted in an electronic format; update the ARE test score validity policy to match NCARB policy, including the elimination of the NCARB "rolling clock" policy; eliminate the use of professional titles by retirees; update the experience and educational requirements for certain types of applications; eliminate fees for duplicate licenses obtained directly through an online portal; repeal board rules regarding disciplinary proceedings; update selected rules with clearer language and provide clear timelines; remove as precondition to taking certain exams, the requirement that an applicant complete the relevant

	experience requirement (also called "decoupling"); and eliminate the alternative continuing professional development option for architects; 51 SDR 40, September 23, 2024.
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RULES REVIEW COMMITTEE MEETINGS

The final meeting of the Interim Rules Review Committee for the 2024 Interim is Tuesday, October 22, 2024, at 9:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. 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.