



SOUTH DAKOTA REGISTER

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FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Petition for Rules

The **South Dakota State Board of Dentistry (Department of Health)** on September 23, 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 add new sections to Article [20:43](#) to allow dental hygienists and registered dental assistants to perform limited restorative functions and allow registered dental assistants to perform supragingival scaling; and amend ARSD [20:43:09:06](#) to allow dental assistants to administer nitrous oxide and monitor patients under nitrous oxide. The [South Dakota State Board of Dentistry](#) will review the petitions at its October 18, 2024, meeting.

Notice

The **Department of Social Services** intends to amend the South Dakota Medicaid State Plan regarding Preadmission Screening and Annual Resident Reviews (PASRR). The proposed state plan amendment (SPA) clarifies the state plan to reflect current practice for PASRR specialized services in nursing facilities and the available categorical determination options. It does not change the State's current level of care determination process. The SPA amends pages 79s and 79t of Section 4.39, page 1 of Attachment 4.39, and page 1 of Attachment 4.39-A, and adds page 2 of Attachment 4.39 to the South Dakota Medicaid State Plan.

The department intends to make this SPA effective October 1, 2024, and estimates there will be no fiscal impact in Federal Fiscal Year 2025 and Federal Fiscal Year 2026 as the amendment allows for alignment with current practice.

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 September 30, 2024, and end October 30, 2024.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

[SOUTH DAKOTA BOARD OF EDUCATION STANDARDS \(DEPARTMENT OF EDUCATION\)](#): 24:05:30:08.03, 24:05:30:08.04, 24:05:30:08.12, 24:05:30:08.13, 24:05:30:09.04, 24:05:30:11, 24:05:30:13.

History/Notice: 50 SDR 128, April 29, 2024

Hearing: July 8, 2024

Filed: September 24, 2024

Effective: October 14, 2024

SCHEDULED PUBLIC HEARINGS

9-30-2024	<u>South Dakota Division of Insurance (Department of Labor and Regulation)</u> : 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	<u>Department of Social Services</u> : Amend rules to update statutory authority and make style and form changes; 51 SDR 32, September 9, 2024.
10-1-2024	<u>Appraiser Certification Program (Department of Labor and Regulation)</u> : 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	<u>Division of Labor and Management (Department of Labor and Regulation)</u> : 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	<u>Department of Health</u> : 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	<u>South Dakota State Brand Board (Department of Agriculture and Natural Resources)</u> : 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	<u>Department of Game, Fish and Parks</u> : 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	<u>South Dakota Board of Medical and Osteopathic Examiners (Department of Health)</u> : 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 <u>Senate Bill 63</u> and <u>Senate Bill 64</u> by the 2024 South Dakota Legislature; 51 SDR 31, September 9, 2024.
10-11-2024	<u>Board of Technical Professions (Department of Labor and Regulation)</u> : 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.

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.