



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 51

Tuesday, 8:00 a.m., January 21, 2025

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice

The **Department of Social Services**, in conjunction with the **Department of Human Services**, has proposed an amendment to the Community, Hope, Opportunity, Independence, Careers, Empowerment, Success (CHOICES) Medicaid 1915 (c) waiver. The CHOICES waiver is operated by the Division of Developmental Disabilities in the South Dakota Department of Human Services (DHS/DDD). The proposed CHOICES waiver amendment is available on the [Proposed CHOICES Waiver Amendment web page](#) on the Department of Human Services website.

The purpose of this amendment is to expand the number of Community Support Providers (CSPs) that can offer CHOICES services. DHS/DDD is proposing an addition to CHOICES section C-2(f), Open Enrollment of Providers. With this addition, CSPs that provide services to participants in other states can meet South Dakota's certification requirements to provide CHOICES services. These CSPs may meet certification requirements if they are an approved provider in good standing in the state(s) where they provide services.

As DDD/DHS previously shared, the proposed CHOICES Medicaid waiver amendment is open for public comment. The initial public comment period was from December 10, 2024, to January 10, 2025. The period for public comments is now extended **through February 20, 2025**. Comments may be made by e-mail to DDD.Update@state.sd.us, by phone at 605-773-3438, or by mail (address below).

DHS/DDD hosted virtual town hall meetings on January 6, 2024 to share details about the waiver amendment, answer questions, and receive public comments. You can access information from the town hall meetings below:

- Read the town hall presentation: <https://dhs.sd.gov/content/dam/digital/united-states/south-dakota/sdo/pdf/division-of-developmental-disabilities/choices/CHOICES-Waiver-Townhall-Slidedeck.pdf>
- Watch a town hall meeting recording: https://www.youtube.com/watch?v=Ss7_KkeIP1M

The proposed effective date of this amendment is May 10, 2025.

Copies of the proposed CHOICES Medicaid waiver amendment are available at the Department of Human Services, Division of Developmental Disabilities. Written requests for a copy of the proposed waiver, and corresponding comments, may be sent to the Department of Human Services, Division of Developmental Disabilities, ATTN: CHOICES Waiver Amendment, Hillsview Plaza, East Highway 34, c/o 500 East Capitol Avenue, Pierre, South Dakota 57501.

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 Addiction and Prevention Professionals Tiffany L. Kashas Vermillion	Governor	Reappointed	1/10/2025 - 10/31/2027
South Dakota Board of Directors for Educational Telecommunications Kay S. Jorgensen Spearfish	Governor	Reappointed	1/10/2025 - 6/30/2027
South Dakota Professional Administrators Practices and Standards Commission Chantal Ligtenberg Sturgis	Governor	Reappointed	1/10/2025 - 12/31/2026
South Dakota State Board of Nursing Facility Administrators Marilyn L. Kinsman Pierre	Governor	Reappointed	1/13/2025 - 10/30/2027
State Board of Podiatry Examiners Jean L. Blair Sturgis	Governor	Reappointed	1/13/2025 - 10/30/2027

SCHEDULED PUBLIC HEARINGS

3-7-2025	Department of Human Services: Amend a rule to remove the requirement of human rights committee review of medication prescribed for treatment or stabilization of psychiatric conditions or sedation prior to medical or dental procedures and make such reviews optional at the request of the participant or their guardian, and add the requirement that during each annual individualized service plan (ISP) meeting, the conflict-free case manager will ask if a review is requested. The rule requiring human rights committee and ISP approval before sedation will be repealed as the process is covered in the amended rule; 51 SDR 72, January 13, 2025.
-----------------	---

RULES REVIEW COMMITTEE MEETINGS

Legislative leadership announced committee assignments for the 2025 Interim on November 25, 2024. Appointed to the Interim Rules Review Committee for their first term were Representative Erik Muckey (D-Sioux Falls) and Senators Taffy Howard (R-Rapid City) and Liz Larson (D-Sioux Falls). Reappointed for the 2025 Interim were Representatives Roger DeGroot (R-Brookings) and Jon Hansen (R-Dell Rapids), and Senator Jim Mehlhaff (R-Pierre). An organizational meeting for the 2025 Interim will be held in March. Notices of future committee meetings will be posted 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.