



# SOUTH DAKOTA REGISTER

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## FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

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### Petition for Rules

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The **Department of Game, Fish and Parks** on March 20, 2025, served on the Interim Rules Review Committee and the director of the Legislative Research Council, a petition received from an interested person, per [SDCL 1-26-13](#), to amend ARSD [41:07:02:01](#) to eliminate the closed area on Lake Francis Case. The [Game, Fish and Parks Commission](#) is scheduled to review the petition at its April 3, 2025, meeting.

### Notice

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The **Department of Social Services** intends to update the South Dakota Medicaid State Plan to clarify provider screening and enrollment processes. The proposed state plan amendment (SPA) adds the current process used to determine if it is appropriate to approve an enrollment with a retroactive billing eligibility date. The state plan is being updated based on recent Center for Medicare and Medicaid Services guidance that this information should be included in the Medicaid State Plan.

The SPA has an effective date of April 1, 2025, and supersedes pages 79ad-79ae of Section 4.46 of the Medicaid State Plan. The department estimates there will be no fiscal impact associated with this SPA 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](mailto: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 March 24, 2025, and end April 23, 2025.

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## SCHEDULED PUBLIC HEARINGS

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3-27-2025	<a href="#">South Dakota Lottery Commission (Department of Revenue)</a> : Amend rules to permit video lottery terminal logic boards to be cleared and/or replaced by Type II Technicians or the Lottery, in addition to manufacturers; 51 SDR 92, March 10, 2025.
4-1-2025	<a href="#">Board of Barber Examiners (Department of Labor and Regulation)</a> : Amend rules to revise the renewal date for a barber school license; increase fees for barber certificate renewal, barber certificate restoration, barber certificate restoration annual penalty, barber school license, barbershop license (initial and renewal), and barber chair license (initial and renewal); and establish new fee rules for fees related to annual inspections and initial barber licensure; 51 SDR 95, March 17, 2025.
4-3-2025	<a href="#">South Dakota State Fair (Department of Agriculture and Natural Resources)</a> : Amend a rule to restructure how camping fees are assessed, with rates based on campsite location and extra fees based on available amenities; 51 SDR 92, March 10, 2025.

4-3-2025	<b><a href="#">Department of Game, Fish and Parks</a></b> : Adopt, amend, or repeal rules to clarify the use of personal flotation devices; ensure that required fire extinguishers on boats operated in public waters are in serviceable condition and not expired; include PRE-09A and PRE-27A in Prairie Elk Hunting Season units eligible for a landowner-own-land resident-only antlerless elk license; remove the reference to a locking seal requirement for Canada geese; increase the daily limit of pintail ducks and reduce the bonus blue-winged teal season to nine days; modify the season dates in Unit 3 to match the season dates in Unit 2 for Canada geese; allow hunting in CGW-11A with an appropriate waterfowl license without the requirement to obtain a permit specific to Bennett County; remove language describing bag limits, permit requirements, and the application process for CGW-11A Special Canada Goose; move twenty-five nonresident licenses from NRW-11A to NRW-00B; preclude ARSD 41:06:50:02 from referencing Unit 3; expand the unit boundary for BHS-BH4 and clean up unit descriptions; expand PRE-09A and PRE-27A season dates; expand PRE-WRA; and allow the initiation of the pursuit of a mountain lion with dogs outside the Black Hills Fire Protection District to occur anywhere; 51 SDR 95, March 17, 2025.
4-7-2025	<b><a href="#">South Dakota Board of Examiners in Optometry (Department of Health)</a></b> : Amend rules to clarify licensing standards by updating the national board examination terminology; create guidelines for delegation; clarify telehealth standards; update minimum office equipment; clarify office inspection requirements; and update provisions relating to corporate practice registration; 51 SDR 85, February 10, 2025.
4-14-2025	<b><a href="#">Department of Social Services</a></b> : Update adoption rules specific to kinship adoptions and to create a new foster licensure pathway for kinship foster homes; 51 SDR 96, March 17, 2025.
7-14-2025	<b><a href="#">South Dakota Board of Hearing Aid Dispensers and Audiologists (Department of Health)</a></b> : Amend rules to reflect changes made to statutes during the 2024 legislative session; provide general language clean-up to reflect current terminology and practice; and correct legal and authority references; 51 SDR 80, January 27, 2025.

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## RULES REVIEW COMMITTEE MEETINGS

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The first meeting of the Interim Rules Review Committee for the 2025 Interim is Tuesday, April 8, 2025, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. Future meetings for the 2025 Interim are scheduled for May 6, June 10, July 15, August 19, September 9, and October 7. 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.