



SOUTH DAKOTA REGISTER

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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.

South Dakota Board of Medical and Osteopathic Examiners (Department of Health): (May 5, 2025) intends to amend, repeal, and adopt rules to update the Emergency Medical Services personnel scope; enact a community paramedic endorsement; update language regarding ambulance drivers and supervision requirements; and update supervision language, licensure requirements, and the Athletic Trainer Code of Ethics. The general authority for these rules, as cited by the board, is SDCL [36-4B-35](#), [36-29-6](#), [36-29-11](#), and [36-29-17](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the First Dakota National Bank building, Room 306, 101 N. Main Avenue, Sioux Falls, South Dakota, on June 12, 2025, at 9:00 a.m. (CT). Interested parties may also participate via Microsoft Teams using Meeting ID 213 526 357 567 3 with passcode o48An7k7. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the South Dakota Board of Medical and Osteopathic Examiners, 101 North Main Avenue, Suite 301, Sioux Falls, South Dakota 57104. Comments may also be sent by email to SDBMOE@state.sd.us. Proposed rules text is also available online at www.sdbmoe.gov and www.rules.sd.gov. Material sent by mail or email must reach the board by June 6, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may call (605) 367-7781 at least 48 hours before the public hearing.

South Dakota Retirement System Board of Trustees: (May 5, 2025) intends to repeal certain sections, chapters, and articles of administrative rules pertaining to the South Dakota Retirement System as a result of the passage of [House Bill 1029](#) by the 2025 South Dakota Legislature. The general authority for these rules, as cited by the board, is SDCL [3-12C-211](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in the South Dakota Retirement System's Conference Room, 222 East Capitol Avenue, Pierre, South Dakota, on June 4, 2025, at 10:00 a.m. (CT). Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, South Dakota Retirement System, 222 East Capitol Avenue, Pierre, South Dakota 57501. Comments may also be emailed to John.Richter@state.sd.us. Information submitted in writing must be received at least 72 hours before the public hearing to be considered. This hearing is being held in a physically accessible location. Persons with special needs for which the board can make arrangements may call (605) 773-3731 at least 48 hours before the public hearing.

South Dakota Plumbing Commission (Department of Labor and Regulation): (May 6, 2025) intends to amend rules to increase fees for plumbing installation certificates, inspections, and licenses as well as set fee amounts for application processing, administrative, and license verification fees. The general authority for these rules, as cited by the commission, is SDCL [36-25-14](#), [36-25-19](#), [36-25-19.1](#), [36-25-24](#), [36-25-27](#), and [36-25-30](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held via Microsoft Teams on May 29, 2025, at 10:00 a.m. (CT). Interested parties may participate online using Meeting ID 227 438 062 36 with passcode 8ux2fQ6z or via phone by calling 605-679-7263 and using conference ID 829 362 829#. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, South Dakota Plumbing Commission, 217 West Missouri Avenue, Pierre, South Dakota 57501. Copies may also be obtained and comments sent by email to SDPlumbing@state.sd.us. The rules are also available at <https://rules.sd.gov/>. Material sent by mail or email must reach the board by 10:00 a.m. (CT) on May 26, 2025, to be considered. This hearing is being held in an electronically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-3429 at least 48 hours before the public hearing.

South Dakota Cosmetology Commission (Department of Labor and Regulation): (May 7, 2025) intends to amend a rule to increase license fees collected by the commission and add a new elective fee for the inspection of a prospective salon or booth. The general authority for this rule, as cited by the commission, is SDCL [36-15-13](#), [36-15-20](#), and [36-15-20.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rule will be held via Microsoft Teams on June 2, 2025, at 9:30 a.m. (CT). Interested parties may participate online using Meeting ID 297 974 115 739 0 with passcode xj2ZF7Lv. Copies of the proposed rule may be obtained without charge from, and written comments on the proposed rule may be sent to, South Dakota Cosmetology Commission, 217 West Missouri Avenue, Pierre, South Dakota 57501. Comments may also be sent by email to cosmetology@state.sd.us. A copy of the rule is also available at <https://rules.sd.gov/> or obtainable by calling (605) 773-6193. Material sent by mail or email must reach the board by June 1, 2025, to be considered. This hearing is being held in an electronically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-6193 at least 48 hours before the public hearing.

Petition for Rules

The **Department of Game, Fish and Parks** on May 5, 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 [41:08:01:07](#) to limit the duration and locations of the beaver hunting and trapping season in the Black Hills Fire Protection District. The [Game, Fish and Parks Commission](#) is scheduled to review the petition at its May 8, 2025, meeting.

Notices

The **Department of Social Services** intends to make changes to the South Dakota Medicaid State Plan to implement the inflationary rate increases for the Health Home program appropriated by the South Dakota Legislature during the 2025 session.

Under the proposed state plan amendment (SPA), the Health Home Quality Incentive Payment pool and the Per Member Per Month payments will receive a 1.25 percent inflationary increase. The updated fee schedule will be posted on the department's website at <https://dss.sd.gov/medicaid/providers/feeschedules/>

The estimated expenditures associated with this amendment are solely due to rate increases; no rates are being decreased. The department estimates the fiscal impact will be \$6,888 in state funds and \$7,790 in federal funds, totaling \$14,678 in Federal Fiscal Year 2025, and \$27,554 in state funds and \$31,159 in federal funds, totaling \$58,713 in Federal Fiscal Year 2026. The department intends to make this SPA effective July 1, 2025.

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 May 12, 2025, and end June 11, 2025.

The **Department of Social Services** intends to make changes to the South Dakota Medicaid State Plan to update the provider lists and supplemental payment amounts for the inpatient and nursing facility providers that have a signed care coordination agreement with Indian Health Services and have ensured access and proper coordination of care of health services. The supplemental payment amounts are listed below:

Inpatient Provider	Amount
Abbot House Inc.	\$13,954
Aurora Plains Academy	\$7,662
Avera	\$214,803
Bennett County	\$15,326
Black Hills Surgical	\$14,917
Mobridge Regional	\$7,834
Monument Health	\$764,271
Lutheran Social Services	\$4,586
Our Home	\$28,802
Rushmore Ambulatory Surgery	\$11,254
Sanford	\$234,594
Sioux Falls Children's Home	\$38,413

Nursing Facility Provider	Amount
Avera	\$16,367
Bennett County	\$529
Legacy	\$22,630
Monument Health	\$4,069
Sanford	\$16,334

The department intends to make the proposed state plan amendment (SPA) effective June 1, 2025. The SPA amends page 14 of Attachment 4.19-A, and amends page 17b of Attachment 4.19-D of the South Dakota Medicaid State Plan. It is estimated the fiscal impact will be \$593,873 in state funds and \$822,472 in federal funds, totaling \$1,416,345 in Federal Fiscal Year 2025, with no fiscal impact expected in Federal Fiscal Year 2026.

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 May 12, 2025, and end June 11, 2025.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

[APPRAISER CERTIFICATION PROGRAM \(DEPARTMENT OF LABOR AND REGULATION\):](#) 20:14:06:01; 20:14:13:06.

History/Notice: 51 SDR 32, September 9, 2024

Hearing: April 3, 2025

Filed: May 6, 2025

Effective: May 26, 2025

SOUTH DAKOTA STATE FAIR (DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES): 12:02:04:05.**History/Notice:** 51 SDR 92, March 10, 2025**Hearing:** April 3, 2025**Filed:** May 6, 2025**Effective:** May 26, 2025**DEPARTMENT OF GAME, FISH AND PARKS:** 41:03:01:33.**History/Notice:** 51 SDR 87, February 18, 2025**Hearing:** March 6, 2025**Filed:** May 6, 2025**Effective:** May 26, 2025**DEPARTMENT OF GAME, FISH AND PARKS:** 41:04:05:02.01, 41:04:05:03; 41:06:01:07.03; 41:06:03:01; 41:06:16:03, 41:06:16:07, 41:06:16:08, 41:06:16:09, 41:06:16:11; 41:06:50:02, 41:06:56:02; 41:06:59:01, 41:06:59:02; 41:06:61:06.**History/Notice:** 51 SDR 95, March 17, 2025**Hearing:** April 3, 2025**Filed:** May 6, 2025**Effective:** May 26, 2025**SOUTH DAKOTA LOTTERY COMMISSION (DEPARTMENT OF REVENUE):** 48:02:06:07; 48:02:08:05.**History/Notice:** 51 SDR 92, March 10, 2025**Hearing:** March 27, 2025**Filed:** May 7, 2025**Effective:** May 27, 2025

SCHEDULED PUBLIC HEARINGS

5-16-2025	<u>Department of Social Services:</u> Update federal medical services eligibility standards that are reflected in rule for the Division of Economic Assistance; 51 SDR 106, April 14, 2025.
5-16-2025	<u>Department of Social Services:</u> Repeal the private adoption home study reimbursement rate pursuant to <u>House Bill 1005</u> , passed by the 2025 Legislature; 51 SDR 107, April 14, 2025.
5-19-2025	<u>South Dakota Division of Insurance (Department of Labor and Regulation):</u> Amend rules to update the sources referenced in rule to ensure parties are referring to the most recent edition of the sources; update outdated language; and change continuing education course sponsor to continuing education course provider; 51 SDR 114, April 28, 2025.
5-27-2025 NOTE: Hearing was originally scheduled for May 19, 2025	<u>South Dakota Board of Education Standards (Department of Education):</u> Amend and adopt rules to require all certified educators, new to the profession or from out-of-state, to take an approved South Dakota Indian studies course to gain certification; 51 SDR 110, April 22, 2025.
5-28-2025	<u>South Dakota Board of Accountancy (Department of Labor and Regulation):</u> Amend rules to clarify the definition of "retired" and revise the fees for initial licensure certificates and firm permits, renewal certificates and firm permits, initial and renewal firm owners, peer review administration fee, examination and reexamination application fee to the board, late fees, and replacement fee for a certificate or fee permit; 51 SDR 117, May 5, 2025.

5-29-2025	<u>South Dakota Transportation Commission (Department of Transportation)</u> : Amend a rule to reflect the names of certain highways in Hughes County that will be renamed effective July 1, 2025; repeal speed zone rules for roads in Hughes and Stanley County that are under the jurisdiction of the U.S. Army Corps of Engineers, the Department of Game, Fish and Parks, and local governments as those entities establish their own speed limits; amend a speed zone rule for U.S. Highway 14 over the Missouri River Bridge to accurately reflect the statutory boundary line between Hughes and Stanley Counties; and amend a rule that establishes state trunk highway routes for longer combination vehicles; 51 SDR 117, May 5, 2025.
5-29-2025	<u>South Dakota Plumbing Commission (Department of Labor and Regulation)</u> : Amend rules to increase fees for plumbing installation certificates, inspections, and licenses as well as set fee amounts for application processing, administrative, and license verification fees; 51 SDR 120, May 12, 2025.
6-2-2025	<u>South Dakota Cosmetology Commission (Department of Labor and Regulation)</u> : Amend a rule to increase license fees collected by the commission and add a new elective fee for the inspection of a prospective salon or booth; 51 SDR 122, May 12, 2025.
6-4-2025	<u>South Dakota Retirement System Board of Trustees</u> : Repeal certain sections, chapters, and articles of administrative rules pertaining to the South Dakota Retirement System as a result of the passage of <u>House Bill 1029</u> by the 2025 South Dakota Legislature; 51 SDR 120, May 12, 2025.
6-12-2025	<u>South Dakota Board of Medical and Osteopathic Examiners (Department of Health)</u> : Amend, repeal, and adopt rules to update the Emergency Medical Services personnel scope; enact a community paramedic endorsement; update language regarding ambulance drivers and supervision requirements; and update supervision language, licensure requirements, and the Athletic Trainer Code of Ethics; 51 SDR 120, May 12, 2025.
7-14-2025	<u>South Dakota Board of Hearing Aid Dispensers and Audiologists (Department of Health)</u> : 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.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2025 Interim is Tuesday, June 10, 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 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.