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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 Pharmacy (Department of Health): (June 23, 2025) intends to amend rules to provide for a fee increase for wholesalers; remove the requirement for automated e-kits in nursing facilities to be licensed; remove the certification requirement to work as a pharmacy technician except for vaccination or working in a telepharmacy; change the technician hours required to work in a telepharmacy; and update wording and references. The general authority for these rules, as cited by the board, is SDCL [36-11-10](#), [36-11-11](#), [36-11-16](#), [36-11-19.1](#), [36-11-23](#), [36-11-23.2](#), [36-11-25](#), [36-11-32](#), [36-11-68](#), [36-11-72](#), and [36-11A-14](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Hamlet Building, Room 202, 4001 West Valhalla Blvd., Sioux Falls, South Dakota, on July 17, 2025, at 2:00 p.m. (CT). Copies of the proposed rules may be obtained without charge from the Board of Pharmacy website at <https://doh.sd.gov/licensing-and-records/boards/pharmacy/> or at <https://rules.sd.gov/>. Written comments may be sent by mail to South Dakota Board of Pharmacy, 4001 West Valhalla Blvd., Suite 106, Sioux Falls, South Dakota 57106 or emailed to pharmacyboard@state.sd.us. Written comments must reach the board by July 11, 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) 362-2737 at least 48 hours before the public hearing.

SCHEDULED PUBLIC HEARINGS

7-1-2025	South Dakota Housing Development Authority: Adopt and amend rules to establish a clear process for the application, approval, and disbursement of loans for the expansion of school districts located adjacent to military installations; and to clarify the distinction between housing infrastructure loans and loans specifically for school construction or expansion that originate from the same South Dakota Housing Infrastructure Fund; 51 SDR 136, June 9, 2025.
7-10-2025	Department of Game, Fish and Parks: Adopt, amend, and repeal rules to establish day pass, annual pass, and event fees for the Pete Lien and Sons Shooting Sports Complex; establish a Custer State Park antelope hunting season and set the number of licenses; repeal a current administrative rule relating to the type and number of licenses issued and the dates for the Custer State Park antelope hunting season; and specify that a person who received an antelope license in Custer State Park may not apply for that season for a period of nine years; 51 SDR 144, June 23, 2025.
7-14-2025	South Dakota Board of Hearing Aid Dispensers and Audiologists (Department of Health): 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.

7-15-2025	<u>South Dakota Public Utilities Commission:</u> Amend, adopt, or repeal rules to clarify procedures for filing and communications with the Commission; update information required when filing an application for an energy transmission facility permit; align party status requirements with previous statutory changes; update telecommunications provisions to align with current needs, technology, and federal regulations; repeal unnecessary telecommunications filing requirements; and update a pipeline safety definition to align with current federal regulations; 51 SDR 133, June 2, 2025.
7-15-2025	<u>South Dakota Animal Industry Board (Department of Agriculture and Natural Resources):</u> Amend rules to update definitions to more accurately reflect current terminology; modernize the language of reference material; and add municipal or other permitted solid waste landfills as facilities at which certain animal carcasses may be disposed of, to reflect current practice; 51 SDR 144, June 23, 2025.
7-17-2025	<u>Board of Minerals and Environment (Department of Agriculture and Natural Resources):</u> Amend and adopt rules to remove unnecessary details regarding computation of time associated with the processing of mine permit applications; change the department's timeline for reviewing and responding to an applicant's response to deficiencies in a mine permit application from seven days to thirty days; change the requirement for board hearings to consider nominating petitions for updating the preliminary list of special, exceptional, critical, or unique lands from annual to as needed; clarify the requirement that permitted mine operators must meet when posting financial assurance to cover reclamation and post-closure liability; and clarify surety requirements pertaining to long-term water treatment costs; 51 SDR 129, May 27, 2025.
7-17-2025	<u>Department of Agriculture and Natural Resources:</u> Update South Dakota's existing air quality rules by incorporating updated, codified regulations by reference; 51 SDR 134, June 2, 2025.
7-17-2025	<u>Department of Health:</u> Repeal rules for the Children's Special Health Services Health KiCC program, 51 SDR 144, June 23, 2025.
7-17-2025	<u>South Dakota Board of Pharmacy (Department of Health):</u> Amend rules to provide for a fee increase for wholesalers; remove the requirement for automated e-kits in nursing facilities to be licensed; remove the certification requirement to work as a pharmacy technician except for vaccination or working in a telepharmacy; change the technician hours required to work in a telepharmacy; and update wording and references; 51 SDR 149, June 30, 2025.
8-5-2025	<u>South Dakota Board of Nursing (Department of Health):</u> Adopt and amend rules to update terms used; allow the board's compliance committee to issue a summary suspension; allow a registered nurse to delegate tracheostomy care and suctioning to a nursing assistant and to provide training and supervision requirements; and regulate certified nurse aides including nurse aid training program standards for approval, competency evaluation program requirements, registration requirements, and grounds for removal from the registry; 51 SDR 136, June 9, 2025.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee for the 2025 Interim is Tuesday, July 15, 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 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.