



# SOUTH DAKOTA REGISTER

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## FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

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### Notice of Proposed Rules

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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 \(Department of Health\)](#)**: (August 18, 2025) intends to amend, repeal, and adopt rules to implement a new fee for the registration of nonresident physicians who wish to train in South Dakota for less than ninety days, and to update the supervision requirements for Physician Assistants to match statute. The general authority for these rules, as cited by the board, is SDCL [36-4-19](#), [36-4-20](#), [36-4-20.2](#), [36-4-24.1](#), [36-4-24.2](#), [36-4-35](#), [36-4-39.1](#), and [36-4A-42](#).

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 September 11, 2025, at 9:00 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, 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](mailto:SDBMOE@state.sd.us). Proposed rules text is also available online at [www.sdbmoe.gov](http://www.sdbmoe.gov) and [www.rules.sd.gov](http://www.rules.sd.gov). Material sent by mail or email must reach the board by September 4, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for whom the board can make arrangements may call (605) 367-7781 at least 48 hours before the public hearing.

**[Department of Social Services](#)**: (August 18, 2025) intends to amend and repeal rules relating to assistance payments to update statutory authority and make style and form changes. The general authority for these rules, as cited by the department, is SDCL [28-6-1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held at the Department of Social Services Building, Oak Conference Room B110, 1501 South Highline Avenue, Sioux Falls, South Dakota, on September 10, 2025, at 10:00 a.m. (CT). Interested parties may also attend by calling (605) 679-7263 and using conference code 267 850 797#. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, Teresa Schulte, Administrative Rules C219, Department of Social Services, 1501 South Highline Avenue, Sioux Falls, South Dakota 57110. The rules are also available online at <http://rules.sd.gov>. Comments and requests for copies of the proposed rules may also be emailed to [DSSAdminRules@state.sd.us](mailto:DSSAdminRules@state.sd.us). Written comments must reach the department by September 20, 2025, to be considered. This hearing is being held in a physically accessible location. Persons with special needs for whom the department can make arrangements may call (605) 674-5771 at least 48 hours before the public hearing.

**[South Dakota Lottery Commission \(Department of Revenue\)](#)**: (August 21, 2025) intends to adopt rules for the introduction and operation of the Millionaire for Life lotto game, as it replaces the Lucky for Life lotto game. The general authority for these rules, as cited by the commission, is SDCL [42-7A-21](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rules will be held in Room 412 of the State Capitol, 500 East Capitol Avenue, Pierre, South Dakota, on September 25, 2025, at 9:45 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, the Department of Revenue, 445 East Capitol Avenue, Pierre, South Dakota 57501. Comments may also be sent by email to [Morgan.Maier@state.sd.us](mailto:Morgan.Maier@state.sd.us). Material sent by mail or email must reach the commission by September 19, 2025, by 5:00 p.m. (CT) to be considered. This hearing is being held in a physically accessible location. Persons with special needs for whom the commission can make arrangements may call (605) 773-5770 at least 48 hours before the public hearing.

## Petition for Rules

The **Department of Game, Fish and Parks** on August 18, 2025, served on the Interim Rules Review Committee and the code counsel, a petition received from an interested person, per [SDCL 1-26-13](#), to amend ARSD [41:06:42:02](#) and [41:06:60:02](#) to allocate a certain portion of trophy and non-trophy bull bison tags to residents and a certain portion to nonresidents. The [Game, Fish and Parks Commission](#) is scheduled to review the petition at its September 4, 2025, meeting.

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## **FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE**

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### Final Administrative Rules

[SOUTH DAKOTA TRANSPORTATION COMMISSION \(DEPARTMENT OF TRANSPORTATION\)](#): 70:01:02:44.

**History/Notice:** 52 SDR 1, July 7, 2025

**Hearing:** July 24, 2025

**Filed:** August 19, 2025

**Effective:** September 8, 2025

[SOUTH DAKOTA BOARD OF NURSING \(DEPARTMENT OF HEALTH\)](#): 20:48:01:01; 20:48:03:18; 20:48:03:01:03; 20:48:04:01:07, 20:48:04:01:20, 20:48:04:01:21, 20:48:04:01:22, 20:48:04:01:23; 20:48:05:07; 20:48:16:01, 20:48:16:02, 20:48:16:03, 20:48:16:04, 20:48:16:07, 20:48:16:08, 20:48:16:09, 20:48:16:10, 20:48:16:11, 20:48:16:12, 20:48:16:13, 20:48:16:14; 20:48:18:01, 20:48:18:02, 20:48:18:03, 20:48:18:04, 20:48:18:05, 20:48:18:06, 20:48:18:07, 20:48:18:08, 20:48:18:09, 20:48:18:10, 20:48:18:11, 20:48:18:12.

**History/Notice:** 51 SDR 136, June 9, 2025

**Hearing:** August 5, 2025

**Filed:** August 19, 2025

**Effective:** September 8, 2025

[BOARD OF MINERALS AND ENVIRONMENT \(DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES\)](#): 74:29:01:02, 74:29:01:07; 74:29:10:19; 74:29:12:01, 74:29:12:02, 74:29:12:03, 74:29:12:04, 74:29:12:05, 74:29:12:06, 74:29:12:07, 74:29:12:08, 74:29:12:09, 74:29:12:10, 74:29:12:11, 74:29:12:12, 74:29:12:13, 74:29:12:14, 74:29:12:15, 74:29:12:16, 74:29:12:17.

**History/Notice:** 51 SDR 129, May 27, 2025

**Hearing:** July 17, 2025

**Filed:** August 21, 2025

**Effective:** September 10, 2025

[SOUTH DAKOTA COMMISSION ON GAMING \(DEPARTMENT OF REVENUE\)](#): 20:04:27:12, 20:04:27:14.

**History/Notice:** 51 SDR 130, May 27, 2025

**Hearing:** June 17, 2025

**Filed:** August 21, 2025

**Effective:** September 10, 2025

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### SCHEDULED PUBLIC HEARINGS

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<b>9-4-2025</b>	<a href="#">Department of Game, Fish and Parks</a> : Amend rules to modify season dates and increase the season unit size where the use of dogs is permitted in the Black Hills Fire Protection District; modify the hunting area where the harvesting of mountain lions is allowed; update the list of aquatic invasive species to include Prussian carp; modify the aquatic invasive species listings for European rudd and Snakehead species; and create an invasive species exemption for Red swamp crayfish; 52 SDR 21, August 18, 2025.
<b>9-5-2025</b>	<a href="#">Department of Human Services</a> : Repeal the department's existing rules on preadmission screening and resident reviews (PASRR); 52 SDR 13, July 28, 2025.
<b>9-9-2025</b>	<a href="#">Department of Health</a> : Repeal rules related to emergency supplies of controlled drugs in longer term care facilities that are duplicative of Board of Pharmacy regulations, unnecessary definitions, and unnecessary or duplicative language as it relates to hospital charge reporting. The proposed changes would also update statutory references and timelines for reporting of data, and correct technical errors made in 2023 and 2024 to require the reporting of attempted suicides in health care facilities to the Department of Health; 52 SDR 13, July 28, 2025.
<b>9-10-2025</b>	<a href="#">Department of Social Services</a> : Amend, adopt, and repeal rules to update hospital reimbursement methodologies including inpatient and outpatient hospital services for both instate and out-of-state hospitals to more closely align with industry standards; update transportation accompaniment rules to comply with federal guidance; update the Primary Care Provider (PCP) program rules to reflect the essential role of the PCP is coordination of care in alignment with Social Security Act § 1950(t); clarify expansion adults are to participate in the PCP program; make style and form changes; and repeal rules that are duplicative of federal regulation or other rules; 52 SDR 21, August 18, 2025.
<b>9-10-2025</b>	<a href="#">Department of Social Services</a> : Amend and repeal rules relating to assistance payments to update statutory authority and make style and form changes; 52 SDR 23, August 25, 2025.
<b>9-11-2025</b>	<a href="#">South Dakota Board of Medical and Osteopathic Examiners (Department of Health)</a> : Amend, repeal, and adopt rules to implement a new fee for the registration of nonresident physicians who wish to train in South Dakota for less than ninety days, and to update the supervision requirements for Physician Assistants to match statute; 52 SDR 23, August 25, 2025.
<b>9-25-2025</b>	<a href="#">South Dakota Lottery Commission (Department of Revenue)</a> : Adopt rules for the introduction and operation of the Millionaire for Life lotto game, as it replaces the Lucky for Life lotto game; 52 SDR 23, August 25, 2025.

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### RULES REVIEW COMMITTEE MEETINGS

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The next meeting of the Interim Rules Review Committee for the 2025 Interim is Tuesday, September 9, 2025, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. The last scheduled meeting for the 2025 Interim will be held 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.

SDCL 1-26A-1. Information from the Register is available free of charge on the LRC website ([www.sdlegislature.gov/](http://www.sdlegislature.gov/)). You may subscribe for electronic delivery of the **South Dakota Register** at [My LRC+](#) on the LRC website.