



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 Transportation Commission (Department of Transportation): (August 27, 2025) intends to amend rules to, in Beadle County, extend the current forty-five mile per hour speed limit on U.S. Highway 14 on the south edge of Wolsey and the current forty-five mile per hour speed limit on Highway 37 in Huron; in Lawrence County, add a forty-five mile per hour transition speed zone on U.S. Highway 14A and U.S. Highway 85 at and around Cheyenne Crossing and eliminate a truck speed limit on U.S. Highway 14A east of Cheyenne Crossing; in Fall River County, extend a fifty-five mile per hour speed zone on State Trunk Highway 79 and correct minor deviations in speed zone distances; for Hamlin County, extend the current twenty-five mile per hour speed zone on State Trunk Highway 21 on the east edge of Hayti; for Hanson County, lengthen the existing forty-five mile per hour speed zone at the I-90 interchange on State Trunk Highway 262 and correct naming conventions; for Jones County, add a forty-five mile per hour transition speed zone on U.S. Highway 83 in and around Murdo; and for rules throughout, eliminate redundancy by clarifying the starting and ending points for speed zones and revising speed zone measurements to the nearest one-tenth of a mile. The general authority for these rules, as cited by the department, is SDCL [32-25-7](#) and [32-25-7.1](#).

A public hearing at which persons may present amendments, data, opinions, and arguments for or against the proposed rule will be held in the Commission Room of the Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota, on September 23, 2025, at 2:00 p.m. (CT). Interested parties may also participate by telephone by calling (866) 705-2554 and using conference code 153277. Copies of the proposed rules may be obtained without charge from, and written comments on the proposed rules may be sent to, the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Copies of the rules are also available at <https://rules.sd.gov>. Comments may also be emailed to Joel.Jundt@state.sd.us. Information submitted in writing must be received on or before September 19, 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 the department's ADA Coordinator at (605) 773-3540 or (800) 877-1113 (Telecommunications Relay Services for the Deaf) at least 48 hours before the public hearing.

Reemployment Assistance Division (Department of Labor and Regulation): (August 29, 2025) intends to amend a rule to revise the industry number for retail nurseries in seasonal employer designations and repeal a rule regarding the ten-day administrative decision timeline for reemployment assistance appeals. The general authority for these rules, as cited by the department, is SDCL [61-1-54](#).

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 September 19, 2025, at 10:00 a.m. (CT). Interested persons may attend at <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> by using meeting ID 298 192 320 411 and passcode vF37bx6F or by calling (605) 679-7263 and using conference ID 100 500 576#. Copies of the proposed rules may be obtained without charge from, and written comments may be sent to, the Reemployment Assistance Division, Attn: Jerry McCabe, 420 S. Roosevelt Street, Aberdeen, South Dakota 57401. Copies of the rules are also available online at

<https://rules.sd.gov>. The deadline to submit any written comments for consideration is September 29, 2025. This hearing will be held online via Microsoft Teams. Persons with special needs for which the department can make arrangements may call Jerry McCabe at (605) 773-3101 at least 48 hours before the public hearing.

Labor and Management Division (Department of Labor and Regulation): (August 29, 2025) intends to amend rules to revise the workers' compensation medical fee schedule by adopting the 2025 version of the Relative Values for Physicians and updating selected billing code multipliers. The general authority for these rules, as cited by the department, is SDCL [62-7-8](#).

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 September 19, 2025, at 11:00 a.m. (CT). Interested persons may attend at <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> by using meeting ID 259 442 123 232 2 and passcode RS2jY6dV or by calling (605) 679-7263 and using conference ID 212 004 238#. Copies of the proposed rules may be obtained without charge from the Department of Labor and Regulation, Division of Labor and Management, Attn: Riley Bennett, 123 West Missouri Avenue, Pierre, South Dakota 57501. Written comments on the proposed rules may be sent to the Department of Labor and Regulation, Division of Labor and Management, Attn: Jerry McCabe, 123 West Missouri Avenue, Pierre, South Dakota 57501 or emailed to jerry.mccabe@state.sd.us. Copies of the rules are also available online at <https://rules.sd.gov>. The deadline to submit any written comments for consideration is September 29, 2025. This hearing will be held online via Microsoft Teams. Persons with special needs for which the department can make arrangements may call Jerry McCabe at (605) 773-3101 at least 48 hours before the public hearing.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

SOUTH DAKOTA BOARD OF PHARMACY (DEPARTMENT OF HEALTH): 20:51:01:01, 20:51:01:02, 20:51:01:03, 20:51:01:04, 20:51:01:10, 20:51:01:11; 20:51:02:01, 20:51:02:04, 20:51:02:07, 20:51:02:08, 20:51:02:10, 20:51:02:11, 20:51:02:12.01; 20:51:04:01, 20:51:04:02, 20:51:04:04, 20:51:04:05, 20:51:04:08; 20:51:05:22; 20:51:06:01, 20:51:06:02.01, 20:51:06:03, 20:51:06:04, 20:51:06:07, 20:51:06:08, 20:51:06:09, 20:51:06:10; 20:51:07:01, 20:51:07:03; 20:51:13:02.01, 20:51:13:02.03, 20:51:13:02.04, 20:51:13:03, 20:51:13:06; 20:51:14:01; 20:51:15:01, 20:51:15:02, 20:51:15:03, 20:51:15:04, 20:51:15:05, 20:51:15:07, 20:51:15:10, 20:51:15:11, 20:51:15:13, 20:51:15:14, 20:51:15:15, 20:51:15:15.01; 20:51:19:03, 20:51:19:05.01, 20:51:19:14; 20:41:25:03, 20:51:25:05; 20:51:27:02, 20:51:27:04; 20:51:28:02.02; 20:51:29:00, 20:51:29:01, 20:51:29:02, 20:51:29:03, 20:51:29:04, 20:51:29:05, 20:51:29:06, 20:51:29:07, 20:51:29:08, 20:51:29:09, 20:51:29:10, 20:51:29:12, 20:51:29:13, 20:51:29:14, 20:51:29:15, 20:51:29:16, 20:51:29:17, 20:51:29:18, 20:51:29:19, 20:51:29:19.02, 20:51:29:20, 20:51:29:21, 20:51:29:22, 20:51:29:23, 20:51:29:24, 20:51:29:25, 20:51:29:26, 20:51:29:27; 20:51:30:03, 20:51:30:09, 20:51:30:12, 20:51:30:13, 20:51:30:15, 20:51:30:16, 20:51:30:18; 20:51:31:32, 20:51:31:33, 20:51:31:34; 20:51:33:01, 20:51:33:02, 20:51:33:03, 20:51:33:04, 20:51:33:05, 20:51:33:06; 20:51:36:02; 20:67:01:01; 20:67:02:01, 20:67:02:10.

History/Notice: 51 SDR 150, June 30, 2025

Hearing: July 17, 2025

Filed: August 26, 2025

Effective: September 15, 2025

SOUTH DAKOTA BOARD OF MINERALS AND ENVIRONMENT (DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES): 74:36:01:01, 74:36:01:05, 74:36:01:20; 74:36:02:02, 74:36:02:03, 74:36:02:04, 74:36:02:05; 74:36:03:01, 74:36:03:02; 74:36:04:12; 74:36:05:04, 74:36:05:04.01, 74:36:05:16.01; 74:36:07:01, 74:36:07:02, 74:36:07:03, 74:36:07:04, 74:36:07:05, 74:36:07:06, 74:36:07:06.01, 74:36:07:06.02, 74:36:07:07, 74:36:07:07.01, 74:36:07:09, 74:36:07:10, 74:36:07:12, 74:36:07:13, 74:36:07:14, 74:36:07:14.01, 74:36:07:15, 74:36:07:16, 74:36:07:17, 74:36:07:18, 74:36:07:19, 74:36:07:20, 74:36:07:21, 74:36:07:22, 74:36:07:22.01, 74:36:07:22.02, 74:36:07:23, 74:36:07:23.01,

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History/Notice: 51 SDR 134, June 2, 2025

Hearing: July 17, 2025

Filed: August 28, 2025

Effective: September 17, 2025

SCHEDULED PUBLIC HEARINGS

9-4-2025	<u>Department of Game, Fish and Parks:</u> 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.
9-5-2025	<u>Department of Human Services:</u> Repeal the department's existing rules on preadmission screening and resident reviews (PASRR); 52 SDR 13, July 28, 2025.
9-9-2025	<u>Department of Health:</u> 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.
9-10-2025	<u>Department of Social Services:</u> 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.
9-10-2025	<u>Department of Social Services:</u> Amend and repeal rules relating to assistance payments to update statutory authority and make style and form changes; 52 SDR 23, August 25, 2025.
9-11-2025	<u>South Dakota Board of Medical and Osteopathic Examiners (Department of Health):</u> 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.
9-19-2025	<u>Reemployment Assistance Division (Department of Labor and Regulation):</u> Amend a rule to revise the industry number for retail nurseries in seasonal employer designations and repeal a rule regarding the ten-day administrative decision timeline for reemployment assistance appeals; 52 SDR 26, September 2, 2025.
9-19-2025	<u>Labor and Management Division (Department of Labor and Regulation):</u> Amend rules to revise the workers' compensation medical fee schedule by adopting the 2025 version of the Relative Values for Physicians and updating selected billing code multipliers; 52 SDR 27, September 2, 2025.
9-23-2025	<u>South Dakota Transportation Commission (Department of Transportation):</u> Amend rules to, in Beadle County, extend the current forty-five mile per hour speed limit on U.S. Highway 14 on the south edge of Wolsey and the current forty-five mile per hour speed limit on Highway 37 in Huron; in Lawrence County, add a forty-five mile per hour transition speed zone on U.S. Highway 14A and U.S. Highway 85 at and around Cheyenne Crossing and eliminate a truck speed limit on U.S. Highway 14A east of Cheyenne Crossing; in Fall River County, extend a fifty-five mile per hour speed zone on State Trunk Highway 79 and correct minor deviations in speed zone distances; for Hamlin County, extend the current twenty-five mile per hour speed zone on State Trunk Highway 21 on the east edge of Hayti; for Hanson County, lengthen the existing forty-five mile per hour speed zone at the I-90 interchange on State Trunk Highway 262 and correct naming conventions; for Jones County, add a forty-five mile per hour transition speed zone on U.S. Highway 83 in and around Murdo; and for rules throughout, eliminate redundancy by clarifying the starting and ending points for speed zones and revising speed zone measurements to the nearest one-tenth of a mile; 52 SDR 26, September 2, 2025.
9-25-2025	<u>South Dakota Lottery Commission (Department of Revenue):</u> 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.

RULES REVIEW COMMITTEE MEETINGS

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.