



SOUTH DAKOTA REGISTER

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FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Notice

The **Department of Social Services** intends to update the South Dakota CHIP and Medicaid State Plans to comply with the statutory changes added by section 71109 of the Working Families Tax Cut (WFTC) Legislation (Public Law 119-21) also known as House Resolution 1 (HR1).

The proposed State Plan Amendment (SPA) provides assurances that the state is complying with federal law regarding who is eligible for Medicaid and CHIP. Beginning October 1, 2026, the federal government's Medicaid and CHIP eligibility standards will no longer allow eligibility for qualified non-citizens who are not Federal Financial Participation (FFP)-eligible non-citizens. FFP-eligible qualified non-citizens are certain Lawful Permanent Residents (LPRs), Cuban and Haitian entrants, and Compact of Free Association (COFA) migrants. All qualified and FFP-eligible non-citizen statuses are lawfully residing.

The department intends to make this SPA effective October 1, 2026. The amendment will amend the "Citizenship and Non-Citizen Eligibility" Medicaid SPA Renewable Unit and the "CS 18: Non-Financial Eligibility-Citizenship" CHIP SPA templates provided by CMS.

The department anticipates this change may result in an initial reduction in Medicaid and CHIP expenditures that may be offset by an increase in expenditures for Emergency Medicaid coverage under section 1903(v)(3) of the Act, resulting in no or a minimal overall change in annual Medicaid and CHIP expenditures.

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 September 28, 2026, and end October 28, 2026.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

SOUTH DAKOTA BOARD OF ADDICTION AND PREVENTION PROFESSIONALS (DEPARTMENT OF SOCIAL SERVICES):

20:80:01:01, 20:80:01:02, 20:80:01:04, 20:80:01:05; 20:80:02:01, 20:80:02:03, 20:80:02:04, 20:80:02:05; 20:80:03:01, 20:80:03:02; 20:80:04:02, 20:80:04:03, 20:80:04:04; 20:80:05:04, 20:80:05:06, 20:80:05:07, 20:80:05:09, 20:80:05:10, 20:80:05:11, 20:80:05:12, 20:80:05:13, 20:80:05:14; 20:80:06:01, 20:80:06:02, 20:80:06:03, 20:80:06:04, 20:80:06:05; 20:80:07:01, 20:80:07:03; 20:80:08:14, 20:80:08:15, 20:80:08:16, 20:80:08:17, 20:80:08:18, 20:80:08:19, 20:80:08:20, 20:80:08:21; 20:80:09:06, 20:80:09:09, 20:80:09:11; 20:80:10:01, 20:80:10:03; 20:80:11:01, 20:80:11:02, 20:80:11:03, 20:80:11:04, 20:80:11:05; 20:80:12:01, 20:80:12:02, 20:80:12:03, 20:80:12:04, 20:80:12:05, 20:80:12:06, 20:80:12:07, 20:80:12:08, 20:80:12:09, 20:80:12:10, 20:80:12:11, 20:80:12:12, 20:80:12:13; 20:80:13:01, 20:80:13:02, 20:80:13:03,

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History/Notice: 53 SDR 3, July 13, 2026

Hearing: July 31, 2026

Filed: September 21, 2026

Effective: October 11, 2026

DEPARTMENT OF SOCIAL SERVICES: 67:61:01:01; 67:61:04:09; 67:61:05:03, 67:61:05:07; 67:61:07:05, 67:61:07:06, 67:61:07:10.

History/Notice: 53 SDR 10, July 27, 2026

Hearing: August 14, 2026

Filed: September 21, 2026

Effective: October 11, 2026

SCHEDULED PUBLIC HEARINGS

September 29, 2026

School Finance Accountability Board (Department of Education): Amend and repeal rules to clarify the process for which a district may request a waiver from the School Finance Accountability Board regarding the state minimum teacher salary, average teacher salary, or the general fund cash balance requirements, and to remove the Joint Committee on Appropriations from the waiver process; 53 SDR 30, September 8, 2026.

October 2, 2026

South Dakota Plumbing Commission (Department of Labor and Regulation): Amend, adopt, and repeal rules to align notification requirements to the functionality of a new database; align rules with the intention of SDCL 36-25; clean up language; and clarify existing rules; 53 SDR 33, September 14, 2026.

RULES REVIEW COMMITTEE MEETINGS

The final scheduled meeting of the Interim Rules Review Committee for the 2026 Interim is Wednesday, October 14, 2026, at 9:00 a.m. (CT) via electronic conference and in Room 414 of the State Capitol. **Please note the earlier start time for the October meeting.** 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.