



SOUTH DAKOTA REGISTER

Published weekly by the Legislative Research Council

Volume 53

Monday, 8:00 a.m., October 26, 2026

FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

Petition for Rules

The **Department of Game, Fish and Parks** on October 22, 2026, 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 [41:04:02:12](#) to change the dates wherein the waters of Reid Lake in Clark County are designated a "no boating zone." The [Game, Fish and Parks Commission](#) is scheduled to review the petition at its November 5, 2026, meeting.

Notice

The **Department of Social Services** intends to update the South Dakota Medicaid State Plan to remove a provisional sunset date associated with the authority to provide mandatory coverage under Section 5121 of the Consolidated Appropriations Act, 2023, for targeted case management services for eligible juveniles who are inmates of public institutions. The sunset date was originally included as a condition of the companion letter issued by the Centers for Medicare and Medicaid Services alongside approval of State Plan Amendment (SPA) SD-25-003, which required the state to complete specified implementation activities related to section 1902(a)(84)(D) of the Social Security Act. These implementation activities included specific stakeholder engagement, outreach, and recruitment of targeted case manager providers, all of which the state has now completed, prompting removal of the sunset provision.

Stakeholder feedback has also indicated that upon adjudication many individuals are released to the community without additional time served, which inhibits the rendering of targeted case management services prior to leaving the carceral setting. Based on this fact, the proposed SPA also incorporates other modifications to better fulfill the intent of Section 5121 including updating the targeted case management period to ninety days post-release and incorporating coverage authorized under Section 5122 of the Consolidated Appropriations Act, 2023, to provide Medicaid and CHIP services to eligible youth who are incarcerated pending disposition of charges to ensure continuity of needed services during the pre-adjudication period.

The SPA will amend page 2 and add page 3 to Attachment 3.1-M and page 1 of Supplement 1-A to Attachment 3.1-A of the Medicaid State Plan as well as amend pages 6, 7, and 9 and the CS31 - Incarcerated CHIP Beneficiaries template pages of the CHIP State Plan. The department intends to make the SPA effective December 1, 2026, and estimates there will be no fiscal impact associated with this SPA in Federal Fiscal Year 2027 or Federal Fiscal Year 2028.

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 October 26, 2026, and end November 25, 2026.

SUPREME COURT RULES

Public Hearing on February 17, 2027

A Supreme Court Rules Hearing soliciting Court rule proposals pursuant to SDCL [16-3-5.2](#) will be held at 11:00 a.m. (CT) in the Courtroom of the Supreme Court on the above date. Consult the [South Dakota Supreme Court Rule Drafting Manual](#) in preparing a proposal. Do not use track changes to show revisions. Instead, use the strikethrough and underscore font to show deletions and additions, respectively. A proposal must be submitted as a Word document via email to the Clerk of the Supreme Court at SCClerkBriefs@ujs.state.sd.us no later than November 18, 2026.

FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

Final Administrative Rules

DEPARTMENT OF HEALTH: 44:09:01:05; 44:09:02:03, 44:09:02:05, 44:09:02:06, 44:09:02:07, 44:09:02:11, 44:09:02:12, 44:09:02:13; 44:09:03:02; 44:09:05:02, 44:09:05:03, 44:09:05:04, 44:09:05:05, 44:09:05:06, 44:09:05:08, 44:09:05:09, 44:09:05:10, 44:09:05:12; 44:09:06:02, 44:09:06:04, 44:09:06:05, 44:09:06:06; 44:09:07:01, 44:09:07:02, 44:09:07:03, 44:09:07:04.

History/Notice: 53 SDR 26, August 31, 2026

Hearing: September 24, 2026

Filed: October 16, 2026

Effective: November 5, 2026

DEPARTMENT OF HEALTH: 44:90:01:01; 44:90:02:07, 44:90:02:10, 44:90:02:11, 44:90:02:12, 44:90:02:13, 44:90:02:17; 44:90:03:02, 44:90:03:05, 44:90:03:07; 44:90:04:08, 44:90:04:09, 44:90:04:10, 44:90:04:13, 44:90:04:14, 44:90:04:15, 44:90:04:16, 44:90:04:19, 44:90:04:20, 44:90:04:26; 44:90:06:01, 44:90:06:04, 44:90:06:05, 44:90:06:07; 44:90:07:04; 44:90:08:03; 44:90:09:02, 44:90:09:06, 44:90:09:07, 44:90:09:11; 44:90:10:01.01, 44:90:10:04; 44:90:11:06; 44:90:12:03, 44:90:12:11.

History/Notice: 53 SDR 25, August 31, 2026

Hearing: September 23, 2026

Filed: October 16, 2026

Effective: November 5, 2026

DEPARTMENT OF HEALTH: 44:63:01:01; 44:63:02:01, 44:63:02:02; 44:63:03:01, 44:63:03:02; 44:63:05:01.

History/Notice: 53 SDR 18, August 17, 2026

Hearing: September 9, 2026

Filed: October 16, 2026

Effective: November 5, 2026

DEPARTMENT OF HEALTH: 44:02:15:01, 44:02:15:02, 44:02:15:03, 44:02:15:04, 44:02:15:05, 44:02:15:06, 44:02:15:07, 44:02:15:08, 44:02:15:09, 44:02:15:10, 44:02:15:11, 44:02:15:12, 44:02:15:13, 44:02:15:14, 44:02:15:15, 44:02:15:16, 44:02:15:17, 44:02:15:18, 44:02:15:19, 44:02:15:20, 44:02:15:21.

History/Notice: 53 SDR 25, August 31, 2026

Hearing: September 24, 2026

Filed: October 16, 2026

Effective: November 5, 2026

DEPARTMENT OF HUMAN SERVICES: 46:11:03:02, 46:11:03:10; 46:11:04:02, 46:11:04:07; 46:11:06:15; 46:11:08:01; 46:11:09:05; 46:17:04:10.

History/Notice: 53 SDR 4, July 13, 2026

Hearing: August 19, 2026

Filed: October 16, 2026

Effective: November 5, 2026

Executive Appointments

Council of Juvenile Services

Ilse Lara Lopez, Spearfish, appointed by the Governor to replace Julian Woodward, effective 10/30/2026 to 10/30/2029.

South Dakota Aeronautics Commission

Michael Ginther, Lemmon, appointed by the Governor to replace Chris Funk, effective 8/28/2026 to 10/30/2027.

SCHEDULED PUBLIC HEARINGS

October 29, 2026

South Dakota Transportation Commission (Department of Transportation): Amend a rule to change speed limits on State Trunk Highway 115 north of Sioux Falls and on Highway 38 in and around Hartford in Minnehaha County. The proposed changes will also update highway references and eliminate speed limit provisions that are no longer needed because of highway jurisdictional transfers; 53 SDR 45, October 13, 2026.

November 9, 2026

South Dakota Supreme Court Rules Hearing No. 159, proposing to amend SDCL [16-5-1.2](#), [16-6-1](#), and [16-12B-1.1](#); 53 SDR 43, October 5, 2026.

February 17, 2027

Supreme Court Rules Hearing soliciting Court rule proposals pursuant to SDCL [16-3-5.2](#); 53 SDR 56, October 26, 2026.

RULES REVIEW COMMITTEE MEETINGS

An ad hoc meeting of the Interim Rules Review Committee will be held Thursday, November 12, 2026, at 10:00 a.m. (CT) via electronic conference and in Room 414 of the Capitol. 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.