

AGENDA

Interim Rules Review Committee



Senator Alan Solano, Chair
Representative Jean Hunhoff, Vice Chair

Three hundred eighty-third meeting
Monday
September 9, 2019

Room 414
State Capitol
Pierre, South Dakota

Agencies: Please have a representative present at the meeting to give background information on the proposed rules.

10:00 a.m. CT:

Call to order, roll call, approval of minutes, and staff report

Review of proposed rules

Senator Solano

Department of Agriculture: Amend rules to:

- Align South Dakota dairy regulations with federal regulations as determined by the FDA Milk Safety Branch; and
- Update references to the most current form.

Representative Hansen

Department of Social Services: Amend rules to:

- Move information to the department's website;
- Update repealed citations and rule references;
- Repeal duplicative rules and information;
- Align with federal regulations;
- Clarify coverage for incontinence items;
- Update to the most recent version of coding manuals;
- Clarify coverage for medically necessary services with no transportation provided by a ground ambulance;
- Update medical record documentation and retention requirements;
- Update third party liability claim requirements for prenatal care;
- Clarify training costs are still covered for the equipment that previously had a bundled coding structure;
- Update the list of psychology services providers in a school district setting to be consistent with eligible providers in the Mental Health Service by Independent Practitioners chapter;
- Update primary care provider terminology, claim requirements, and program requirements;
- Align medical services diagnostic assessment and treatment plan requirements with the Division of Behavioral Health rules;
- Update rules related to federally qualified health centers and rural health clinics regarding definitions, covered services, and reimbursement methodology;
- Allow early intervention for substance use disorders as a covered service;
- Update citations to federal authority regarding program requirements;
- Align substance use disorder rules with medical service rules to reference the department's fee schedule website for billing information; and
- Clarify progress note requirements.

Senator Kennedy

Abstracters' Board of Examiners (Department of Labor and Regulation): Amend rules to:

- Add the executive secretary to the board;
- Repeal unanimous consent meetings;
- Repeal outdated language on orders and decisions of the board;
- Update language to require notarized signature for applicants;
- Provide additional locations and designated representatives for examinations;
- Revise the timeline for grading examinations;
- Update language for general requirements for books, records, and indexes;
- Update language relating to grading of plant examinations; and
- Update language regarding fees and expenses for plant examinations and language for issuance of certificate for plant.

Senator Russell

Department of Public Safety: Amend rules to:

- Expand the 1 psi Reid Vapor Pressure waiver;
- Adopt the 2019 edition of the Commercial Vehicle Safety Alliance handbook;
- Expand the definition of immediate family for crime victims' compensation; and
- Expand the service period for which victims of crime may be reimbursed for counseling services.

Department of Public Safety: Adopt an emergency rule to:

- Allow the shipment of ethanol-blended gasoline into the State of South Dakota on and after September 16, 2019.

(NOTE: Emergency rules do not require a hearing and become effective the date they are filed with the Secretary of State. Discussion of this rule will be for informational purposes only.)

South Dakota Cosmetology Commission (Department of Labor and Regulation): Amend rules to:

- Update and clarify safety and infection control rules;
- Allow licensees to see the criteria for salon and booth inspections and what constitutes a failed inspection; Formalize disciplinary proceedings into rule;
- Clarify the high school graduation requirement for applicants; and
- Reduce re-testing requirements for out-of-state applicants.

State Board of Elections (Office of the Secretary of State): Amend rules to:

- Update the voter registration form;
- Revise the timeframe for the notice of deadline for filing primary nominating petitions;
- Revise nominating petitions for partisan and independent candidates;
- Clarify the process for county auditors to certify school board election results;
- Repeal of an obsolete rule; and
- Clarify guidelines for accepting petitions and counting petition signatures.

Adjourn

* Breaks will be at the call of the chair.

NOTE: A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission; or by downloading them at rules.sd.gov.

Members: Senator Alan Solano (Chair); Representative Jean Hunhoff (Vice Chair); Senators Craig Kennedy and Lance Russell; and Representatives Ryan Cwach and Jon Hansen.

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