

AN ACT

ENTITLED, An Act to revise certain drug registration fees and license fees related to health care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 34-12-6 be amended to read as follows:

34-12-6. Any application for a license to operate a health care facility shall be accompanied by a fee. The annual license fee established for each licensure category of health care facilities shall be as follows:

- (1) Nursing facility:
 - (a) Fifty beds or less, six hundred dollars;
 - (b) Fifty-one to one hundred beds, inclusive, nine hundred dollars;
 - (c) One hundred one to one hundred fifty beds, inclusive, one thousand two hundred dollars;
 - (d) One hundred fifty-one or more beds, one thousand five hundred dollars;
- (2) Assisted living center:
 - (a) Sixteen beds or less, one hundred fifty dollars;
 - (b) Seventeen to fifty beds, inclusive, three hundred dollars;
 - (c) Fifty-one to one hundred beds, inclusive, four hundred fifty dollars;
 - (d) One hundred one or more beds, six hundred dollars;
- (3) Hospital:
 - (a) Twenty-five beds or less, one thousand dollars;
 - (b) Twenty-six to fifty beds, inclusive, one thousand five hundred dollars;
 - (c) Fifty-one to one hundred beds, inclusive, two thousand dollars;
 - (d) One hundred one to one hundred fifty beds, inclusive, three thousand dollars;

- (e) One hundred fifty-one to two hundred beds, inclusive, four thousand dollars;
- (f) Two hundred one or more beds, five thousand dollars;
- (4) Ambulatory surgery center, five hundred dollars;
- (5) Chemical dependency treatment facility:
 - (a) Sixteen beds or less, one hundred fifty dollars;
 - (b) Seventeen to fifty beds, inclusive, three hundred dollars;
 - (c) Fifty-one or more beds, four hundred fifty dollars;
- (6) Inpatient and residential hospice, two hundred dollars.

No such fee may be refunded. All fees received by the State Department of Health under the provisions of this chapter shall be paid into the general fund.

Section 2. That § 34-12-7 be amended to read as follows:

34-12-7. The State Department of Health may issue licenses to operate a health care facility or related institutions as defined in § 34-12-1.1 which, after application and inspection, are found to comply with the provisions of this chapter, and the rules adopted by the State Department of Health. Provision may be made for annual or biennial licenses, prorated license fees, and multiple licenses for health care facilities providing different levels of care and services to patients. To implement this section, the State Department of Health may promulgate rules pursuant to chapter 1-26.

Section 3. That § 34-12-10 be repealed.

Section 4. That § 34-20B-41 be amended to read as follows:

34-20B-41. The department may promulgate rules pursuant to chapter 1-26 relating to exclusions from uniform drug articles pursuant to subdivision 34-20B-2(1); the definition of precursors; exceptions from Schedule III of stimulants, depressants, and anabolic steroid-estrogen combinations in medicinal preparations; the registration of manufacturers, distributors, and dispensers; waivers of registration; the suspending, revoking, surrendering, transferring, and reinstating of registration;

inventories and records of controlled substances establishing minimum standards for prescribing and dispensing practices, labeling and security requirements and the issuance of prescriptions as provided by this chapter and chapter 22-42; and the inspection of registered premises. The department may charge reasonable fees relating to the registration and control of the manufacture, distribution, and dispensing of controlled drugs and substances within this state. No fee may exceed one hundred fifty dollars.

Section 5. That § 34-21-18 be amended to read as follows:

34-21-18. The Department of Health may require licensing of all sources of ionizing radiation. The annual license shall be accompanied by an annual license fee. The annual license fee shall be as follows:

- (1) One diagnostic X ray system, one hundred dollars;
- (2) Two to five diagnostic X ray systems, inclusive, one hundred fifty dollars;
- (3) Six to ten diagnostic X ray systems, inclusive, two hundred dollars;
- (4) Eleven to twenty diagnostic X ray systems, inclusive, two hundred fifty dollars; and
- (5) Twenty-one or more diagnostic X ray systems, three hundred dollars.

For the purposes of this section, diagnostic X ray system means an X ray system designed for irradiation of any part of the human or animal body for the purpose of diagnosis or visualization.

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I certify that the attached Act
originated in the

SENATE as Bill No. 36

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 36

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State