

REGISTER



South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., April 21, 2014

NOTICE OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Education: Board of Education: (April 17, 2014) intends to amend Postsecondary Vocational Education rules to remove the requirement that state fees charged to students at the postsecondary technical institutes pledged for the payment of lease purchase agreements not exceed 20% of total tuition and fees and revise the per student allocation. The general authority for these rules, as cited by the board, is SDCL §§ 1-16A-94, 13-39-37, and 13-39-38.

A public hearing will be held at Northern State University, Student Center, Centennial Room, 1200 S. Jay St., Aberdeen, South Dakota, on May 19, 2014, at 9:00 a.m. CDT. Copies of the proposed rules may be obtained without charge from the Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501 or at

<http://www.doe.sd.gov/board/index.aspx>.

Written comments may be sent to the board at the address above or at this website:

<https://rules.sd.gov/default.aspx> and must be received by May 16, 2014, to be considered.

This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3553 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Steven J. Arne, Rapid City, was reappointed on April 10, 2014, to the **State Electrical Commission**, effective April 15, 2014, and shall continue until April 14, 2017.

Yvon J. Burtz, Winner, was reappointed on April 10, 2014, to the **Abstracters' Board of Examiners**, effective April 2, 2014, and shall continue until April 1, 2017.

John Calvin, Watertown, was reappointed on April 10, 2014, to the **Board of Economic Development**, effective April 15, 2014, and shall continue until April 14, 2018.

Harry W. Christianson, Rapid City, was reappointed on April 10, 2014, to the **South Dakota Commission on Gaming**, effective April 14, 2014, and shall continue until April 15, 2017.

Greg Heineman, Sioux Falls, was reappointed on April 10, 2014, to the **Board of Economic Development**, effective April 15, 2014, and shall continue until April 14, 2018.

Tony Klein, Pierre, was reappointed on April 10, 2014, to the **Board of Economic Development**, effective April 15, 2014, and shall continue until April 14, 2018.

Duane R. Mergen, Sioux Falls, was reappointed on April 10, 2014, to the **State Electrical Commission**, effective April 15, 2014, and shall continue until April 14, 2017.

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State

Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

5-1-2014	Game, Fish and Parks	Amend Application for License rules to enable any person who meets the eligibility requirements to apply for and receive a preference point for any hunting season with a limited license allocation; 40 SDR 182.
5-8-2014	Social Services: Child Care Services	Amend rules to include within the definition of a "relative provider" a caretaker who is a sibling of the child, rather than including such a sibling within the definition of "informal provider", establish that 15 semester credit hours at a college, university or technical institute is sufficient to meet the eligibility requirements for work and education to receive child care assistance, and increase the time period during which a recipient must notify the department of a change in child care providers; 40 SDR 181.
5-8-14	Social Services: Economic Assistance	Amend rules to update payment standards regarding the Temporary Assistance for Needy Families program; 40 SDR 181.
5-8-14	Social Services: Medical Services	Amend Physician and Other Health Services rules to move the rate for anesthesia services to the fee schedule on the department's website and remove invalid modifier codes; amend School Districts rules to update terminology and licensing requirements for psychological evaluators, speech-language pathologists, speech-language pathology assistants, and audiologists and remove redundant supervision requirements, update terminology for care plans and clarify the requirements of a care plan, specify that covered nursing services include only those provided to treat a chronic medical illness and remove the limit on the allowable units per day for covered nursing services, and move the procedure codes for covered services to the department's website; 40 SDR 181.

5-8-2014	Social Services: Finance	Amend a Liens and Estate Recoveries rule to update the definition of an "estate" to delete reference to SDCL§ 10-40-1 and include the definition in SDCL § 29A-1-201 and other property or assets in which the individual had any legal title or interest, and clarify the amount included in the "estate" from funds for prepaid burial expenses; 40 SDR 182.
5-19-2014	Education: Board of Education	Amend Postsecondary Vocational Education rules to remove the requirement that state fees charged to students at the postsecondary technical institutes pledged for the payment of lease purchase agreements not exceed 20% of total tuition and fees and revise the per student allocation; 40 SDR 187.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, May 6, 2014, in Room 413, Fourth Floor of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2014 interim: June 3, July 8, August 12, September 16, November 12, and December 16.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://legis.sd.gov/Rules/RulesManual.aspx>.

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