REGISTER

South Dakota Legislative Research Council

Volume 37 *Monday, 8:00 a.m., July 12, 2010*

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

Department of Social Services: Division of Medical Services: (July 9, 2010) intends to amend rules to revise definitions; remove obsolete and duplicative references; update internal references; centralize prior authorization information; remove certain gastric procedures from the list of noncovered services; add liver transplants for qualifying adults to the list of covered organ transplants; revise time limits for submission of claims; clarify existing cost sharing exemptions and age requirements; and revise requirements related to federally qualified health centers and rural health clinics. The general authority for these rules, as cited by the department, is SDCL 28-6-1 and 42 USC 1396d.

A public hearing will be held in DSS Conference Room #1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on August 3, 2010, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to Laura Ringling, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Ms. Ringling may be contacted by telephone at (605) 773-3165. Written comments must be received by August 13, 2010, to be considered. Individuals intending to present oral testimony at the hearing must make a written copy of their testimony available to the department at the time of the hearing. The testimony must relate directly to the changes being proposed and must cite the specific rule number to which the comments are being directed. 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) 773-3165 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Isabel Trobaugh, Elk Point, was appointed on June 16, 2010, to the **Independent Living Council**, to replace Alex Gourneau, effective July 1, 2010, and shall continue until June 30, 2011.

Teresa Disburg, Pierre, was reappointed on July 1, 2010, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2013.

John Jones¸ Parkston, was reappointed on July 1, 2010, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2013.

Deb Soholt, Sioux Falls, was reappointed on July 1, 2010, to the **South Dakota Board of Nursing**, effective immediately and shall continue until June 30, 2013.

Jan Nicolay, Chester, was reappointed on July 2, 2010, to the **Excess General Fund Oversight Board**, effective immediately and shall continue until June 30, 2015.

Raymond J. Wahle, Sioux Falls, was reappointed on July 2, 2010, to the **South Dakota Energy Infrastructure Authority**,

effective immediately and shall continue until June 30, 2016.

Dennis Duncan, Parker, was appointed on July 7, 2010, to the **South Dakota Commission on Gaming**, to replace Ralph Kemnitz, effective July 6, 2010, and shall continue until April 14, 2013.

Cal Geis, Belle Fourche, was reappointed on July 7, 2010, to the **South Dakota Workforce Development Council**, effective immediately and shall continue until June 30, 2013.

Mayor Mike Huether, Sioux Falls, was appointed on July 7, 2010, to the **Governor's Reentry Council**, to replace Mayor Dave Munson, effective July 7, 2010.

Warren Lotsberg, Huron, was reappointed on July 7, 2010, to the **South Dakota Workforce Development Council**, effective immediately and shall continue until June 30, 2013.

Shelley Stingley, Sioux Falls, was reappointed on July 7, 2010, to the **South Dakota Workforce Development Council**, effective immediately and shall continue until June 30, 2013.

Tina Van Camp, Pierre, was appointed on July 7, 2010, to the **State Board of Dentistry**, to replace Joan Adam, effective July 2, 2010, and shall continue until June 30, 2011.

Roger Wilson, Rapid City, was reappointed on July 7, 2010, to the **State Board of Dentistry**, effective immediately and shall continue until June 30, 2013.

Roland Benson, Aberdeen, was reappointed on July 8, 2010, to the **South Dakota Workforce Development Council**, effective immediately and shall continue until June 30, 2013.

Jamie C. Chambers, Sioux Falls, was reappointed on July 8, 2010, to the **Council of Juvenile Services**, effective immediately and shall continue until June 30, 2013.

Karen Jeffries, Eagle Butte, was reappointed on July 8, 2010, to the **Council of Juvenile Services**, effective immediately and shall continue until June 30, 2013.

Elisabeth O'Toole, Sioux Falls, was reappointed on July 8, 2010, to the **Council of Juvenile Services**, effective immediately and shall continue until June 30, 2013.

Randy Schweer, Watertown, was appointed on July 8, 2010, to the **American Dairy Association of South Dakota**, to replace Ginger Hanten, effective July 8, 2010, and shall continue until June 30, 2013.

Steve Sneer, Brookings, was reappointed on July 8, 2010, to the **American Dairy Association of South Dakota**, effective immediately and shall continue until June 30, 2012.

Ella Rae Stone, Lake Andes, was reappointed on July 8, 2010, to the **Council of Juvenile Services**, effective immediately and shall continue until June 30, 2013.

Grant Walker, Selby, was reappointed on July 8, 2010, to the **Council of Juvenile Services**, effective immediately and shall continue until June 30, 2013.

Michael Zellmer, Pierre, was appointed on July 8, 2010, to the **Council of Juvenile Services**, to replace Jason Goette, effective July 1, 2010, and shall continue until June 30, 2013.

Note: A copy of the rules may be obtained directly from the above agencies. 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

7-13-2010	Agriculture: Animal Industry Board	Amend Disease Control and Meat Inspection rules to update current dates of reference material; 36 SDR 221.
7-22-2010	Labor: State Plumbing Commission	Amend rules to adopt the 2009 edition of the Uniform Plumbing Code; revise the format of the plumber examination; repeal plumbing contractors being exempt from examination based on the score of their journeyman plumber examination; and revise the fee structure for plumbing permits; 36 SDR 213.
7-22-2010	Transportation	Amend a speed zone in Lawrence County on U.S. Highway 85 beginning at the junction with U.S. Highway 14A near the north city limits of Deadwood; 37 SDR 1.
8-3-2010	Social Services: Medical Services	Amend rules to revise definitions; remove obsolete and duplicative references; update internal references; centralize prior authorization information; remove certain gastric procedures from the list of noncovered services; add liver transplants for qualifying adults to the list of covered organ transplants; revise time limits for submission of claims; clarify existing cost sharing exemptions and age requirements; and revise requirements related to federally qualified health centers and rural health clinics; 37 SDR 5.
8-25-2010	Military and Veteran Affairs	Amend a rule regarding furloughs for residents of the Michael J. Fitzmaurice South Dakota Veterans Home; 36 SDR 199.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, July 20, 2010, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor, of the State Capitol. Other DDN sites will be: Aberdeen – NSU, 1200 S. Jay Street, Room Lib117; Huron – DOT, 901 Dakota St.; Mitchell – MTI, 1800 E. Spruce, Room TC155; Rapid City – SDSM&T, 501 E. St. Joseph St., Room CB108; Sioux Falls – University Center, 2205 Career Ave., Room 282 S, and Yankton – DOT 1306 W. 31st St. The committee chair has set the following tentative meeting schedule for the 2010 interim: August 31, September 28, November 17, and December 20.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at ***http://legis.state.sd.us/rules/index.aspx***.

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