

REGISTER



South Dakota Legislative Research Council

Volume 43

Monday, 8:00 a.m., August 1, 2016

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE:

Notice of Proposed Rules: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Health: Board of Examiners in Optometry: (July 28, 2016) intends to amend rules to update continuing education requirements and update the scope of practice/clinical procedural codes. The general authority for these rules, as cited by the board, is SDCL § 36-7-15.

A public hearing will be held at the Tieszen Law Office, Prof. LLC, 306 East Capitol, Suite 300, Pierre, South Dakota, on August 26, 2016, at 8:45 a.m. (CST). Copies of the proposed rules may be obtained without charge from and written comments sent to the South Dakota Board of Examiners in Optometry, Executive Secretary, P.O. Box 6, Langford, South Dakota 57454. Written comments must be received by August 26, 2016, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call the Tieszen Law Office, Prof. LLC, at (605) 224-1500 at least 48 hours before the public hearing.

Department of Transportation: (July 29, 2016) is proposing to amend rules regarding the Local Bridge Improvement Grant Requirements. The general authority for these rules, as cited by the department, is SDCL § 32-11-39.

A public hearing will be held in the Century Room at City Hall, 108 Sherman Street,

Deadwood, South Dakota, on August 24, 2016, at 1:00 p.m. MT. Copies of the proposed rules may be obtained without charge from and written comments sent to the Secretary of Transportation, Becker-Hansen Building, 700 East Broadway Avenue, Pierre, South Dakota 57501-2586. Material sent by mail must reach the department by August 23, 2016, 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) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

Notice:

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning an outpatient prospective payments system for Medicare prospective payment system hospitals effective August 1, 2016. Per the proposed State Plan Amendment (SPA) under the outpatient prospective payments system, outpatient hospital services will be reimbursed using ambulatory patient classifications. The SPA revises page 1a and 2b of Attachment 4.19-B of the South Dakota Medicaid State Plan. The Department estimates there will be no federal fiscal impact associated with this SPA in Federal Fiscal Year 2016 and in Federal Fiscal Year 2017. Written requests for a copy of these changes, and corresponding comments, may be sent to Department of Social Services, Division of Medical Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

For further details, contact the Secretary of State's office.

DEPARTMENT OF HEALTH: STATE BOARD OF DENTISTRY: 20:43:01:01, 20:43:01:02, 20:43:01:05; 20:43:02:01, 20:43:02:02; 20:43:05:01, 20:43:05:08; and 42:43:10:02 to 20:43:10:04, inclusive.

A Gaming Compact between the **Flandreau Santee Sioux Tribe** and the **State of South Dakota** was filed on July 27, 2016. For further details, contact the Secretary of State's office.

History-Notice: 42 SDR 159, May 16, 2016
 Hearing: June 17, 2016
 Filed: July 25, 2016
 Effective: August 15, 2016

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.

Gaming Compacts:

An extension of the **Gaming Compact** between the **Rosebud Sioux Tribe** and the **State of South Dakota** was filed on July 25, 2016. The compact was extended until February 1, 2017.

REMINDER OF HEARINGS SCHEDULED

8-2-2016	Department of Public Safety Amend rules to update the adoptions of the National Institute of Standards and Technology (NIST), American Society of Testing and Materials (ASTM) and the International Building, Fire, and Mechanical Codes, update and revise references, require the use of certified test weights, allow NIST traceable field test standards for refined fuels and liquid petroleum gas, and repeal repetitive rules; 43 SDR 1, July 5, 2016.
8-24-2016	Department of Transportation Amend rules regarding the Local Bridge Improvement Grant Requirements; 43 SDR 15, August 1, 2016.
8-26-2016	Department of Health: Board of Examiners in Optometry Amend rules to update continuing education requirements and update the scope of practice/clinical procedural codes; 43 SDR 15, August 1, 2016.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Monday, August 22, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 Interim: September 26, and November 14.

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

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