

REGISTER



South Dakota Legislative Research Council

Volume 39

Monday, 8:00 a.m., December 3, 2012

NOTICE OF PROPOSED RULES: (None)

NOTICE:

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning the prescription drugs benefit effective January 1, 2013. The State Plan Amendment is a requirement of the Medicare Improvements for Patients and Providers Act of 2008. The proposed changes amend Attachments 3.1-A and 3.1-A.1 of the State Plan, revising the State Plan's coverage of prescription drugs, particularly barbiturates and benzodiazepines. The changes are in accordance with an expansion of Medicare Part D coverage effective January 1, 2013. The department estimates the Federal fiscal impact associated with this SPA will be negligible. Written requests for a copy of these changes, and corresponding comments, may be sent to the Division Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

DEPARTMENT OF EDUCATION: BOARD

OF EDUCATION: 24:14:01:01, 24:14:01:03; 24:14:02:01 to 24:14:02:03, inclusive, 24:14:02:05, 24:14:02:07 to 24:14:02:09, inclusive, 24:14:02:11 to 24:14:02:13, inclusive; 24:14:03:01.02, 24:14:03:05, 24:14:03:09; 24:14:04:01 to 24:14:04:04.07, inclusive, 24:14:04:06 to 24:14:04:08, inclusive, 24:14:04:10; 24:14:05:02; 24:14:07:03, 24:14:07:04; 24:14:08:01 to 24:14:08:05, inclusive, 24:14:08:07, 24:14:08:13.01, 24:14:08:15 to 24:14:08:21, inclusive;

24:14:09:01, 24:14:09:02; 24:14:10:01, 24:14:10:01.01, 24:14:10:04, 24:14:10:06; 24:14:11:01.01 to 24:14:11:01.03, inclusive, 24:14:11:03 to 24:14:11:05, inclusive, 24:14:11:07, 24:14:11:09; 24:14:12:01.01 to 24:14:12:04.01, inclusive; 24:14:13:01 to 24:14:13:08, inclusive; 24:14:14:01.01 to 24:14:14:07, inclusive, 24:14:14:09 to 24:14:14:11, inclusive, 24:14:14:15, 24:14:14:16.03, 24:14:14:16.07, 24:14:14:16.16, 24:14:14:16.23, 24:14:14:18, 24:14:14:21, 24:14:14:22; 24:14:15:02 to 24:14:15:06, inclusive, 24:14:15:08 to 24:14:15:10, inclusive, 24:14:15:12 to 24:14:15:16, inclusive; 24:14:16:01, 24:14:16:02; and 24:15:06:65.

History-Notice: 39 SDR 31, August 20, 2012
Hearing: September 24, 2012
Filed: November 26, 2012
Effective: December 17, 2012

Executive Appointments:

Michael J. Colleran, Pierre, was reappointed on November 21, 2012, to the **South Dakota Board of Hearing Aid Dispensers and Audiologists**, effective immediately and shall continue until October 30, 2015.

Michael W. Day, Belle Fourche, was appointed on November 21, 2012, to the **Board of Minerals and Environment**, to replace Timothy Johns, effective immediately and shall continue until June 30, 2014.

Teresa A. Marts, Winner, was reappointed on November 21, 2012, to the **South Dakota Crime Victims' Compensation Commission**,

effective immediately and shall continue until October 30, 2015.

Robert D. Reierson, Sioux Falls, was reappointed on November 21, 2012, to the **South Dakota Board of Hearing Aid Dispensers and Audiologists**, effective immediately and shall continue until October 30, 2015.

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.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address

REMINDER OF HEARINGS SCHEDULED

12-4-2012	Labor and Regulation: Cosmetology Commission	Amend rules to update and clarify general rules language, reorganize the rules to make them more streamlined and easier to read, add definitions, clarify the differences between the different infection control standards, set standards for branch schools regarding equipment, safety standards, and curriculum, add language and requirements to allow for short-term substitute senior instructors, clarify prohibited equipment, add language to clarify that schools are allowed to offer students the opportunity to earn more than eight hours of credit per day, update the required text books to be used in schools, and streamline rules as to when same rules apply to both business establishments and schools; 39 SDR 99.
12-4-2012	Secretary of State	Amend rules to repeal outdated provisions concerning the voter registration system and to standardize the fee schedule for purchasing a voter registration file; 39 SDR 99.
12-6-2012	Game, Fish and Parks	Amend Spring Wild Turkey Hunting Season rules to establish the number of licenses/tags available which will include offering residents 105 less one-tag "male turkey" and 200 less two-tag "any turkey" licenses for the Prairie Units than authorized in 2012; and offering nonresidents 16 less two-tag "any turkey" licenses for the Prairie Units than authorized in 2012; and modify spring unit boundaries for the Black Hills and Meade County (Unit 49A) to be consistent with Fall turkey unit boundaries; and amend a Uses of Parks and Public Lands' rule to allow 10 resident archery

		licensees to hunt at Blood Run Nature Area and 10 resident archery licenses to hunt at Adams Homestead and Nature Preserve utilizing "access permits" valid from April 6 through April 30 to be issued by lottery drawing; 39 SDR 93.
12-12-2012	Board of Regents	Amend rules to allow students an opportunity to complete coursework in Career and Technical education, allow for students pursuing alternative forms of instruction to establish initial eligibility in the program, and provide eighth semester funding to students who graduate a semester early; 39 SDR 75.

RULES REVIEW COMMITTEE MEETINGS

The last regular meeting of the Interim Rules Review Committee will be held Wednesday, December 19, 2012, in Room 414, Fourth Floor, of the State Capitol.

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>.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 39 are \$25. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.state.sd.us>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at MyLRC (<http://legis.state.sd.us/mylrc/index.aspx>).