

# REGISTER



South Dakota Legislative Research Council

Volume 31

Monday, 8:00 a.m., December 6, 2004

**NOTICES OF PROPOSED RULES:** (None)

**FILINGS IN THE SECRETARY OF STATE'S OFFICE:**

**DEPARTMENT OF REVENUE AND REGULATION: DIVISION OF BANKING:**  
20:07:22:01, 20:07:22:02; 20:07:23:01 to 20:07:23:05, inclusive.

History-Notice: 31 SDR 61, October 25, 2004  
Hearing: November 16, 2004  
Filed: November 29, 2004  
Effective: December 19, 2004

**Executive Appointments:**

**Mary I'atala**, Pine Ridge, was reappointed on November 24, 2004, to the **Board of Vocational Rehabilitation**, effective immediately and shall continue until July 1, 2007.

**Clint Waara**, Sioux Falls, was appointed on November 24, 2004, to the **South Dakota Board of Education**, to replace Carolyn Mollers, effective January 1, 2005, and shall continue until December 31, 2008.

**Francis A. Wingert**, Sioux Falls, was reappointed on November 30, 2004, to the **State Electrical Commission**, effective immediately and shall continue until April 14, 2007.

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

12-9-2004	Social Services: Medical Services	Amend rules that will increase the cost outlier amount for inpatient hospital claims, amend the date used as the basis for establishing the rate of reimbursement for outpatient services provided by out-of-state hospitals, and decrease the rate of reimbursement for inpatient services provided by an out-of-state hospital if the hospital's home state refuses to price the claim using that state's Medicaid payment methodology; 31 SDR 79.
12-9-2004	Social Services: Food Stamps	Amend rules that will increase the standard utility allowance, the limited utility allowance, the one-utility allowance, and the telephone allowance and adopt the thrifty food plan as established by the United States Department of Agriculture, Food and Nutrition Services; 31 SDR 79.

12-16-2004	Environment and Natural Resources: Board of Minerals and Environment	Amend rules that will require a person to obtain a solid waste permit whenever a waste tire bale, waste tire, or parts thereof are buried or partially buried; 31 SDR 75.
12-17-2004	Personnel	Amend a rule to insure that any employee having contact with inmates within the secure perimeter of a corrections department facility be drug free; 31 SDR 79.
12-17-2004	Social Services: Medical Services	Amend rules relating to Medicaid eligibility that will update current rules, delete provisions that no longer apply, increase certain allowances to reflect the increased cost of living, change the method of calculating a period of ineligibility when an asset is disposed of for purposes of establishing Medicaid eligibility, require a trustee to submit an annual accounting to the department, and institute a penalty when income placed into the trust exceeds the amount paid out of the trust for medical services; 31 SDR 80.
12-17-2004	Social Services: Food Stamps	Adopt rules to establish operating guidelines for the Sales Tax on Food Refund Program; 31 SDR 80.

### *Rules Review Committee Meetings*

The last meeting of the Interim Rules Review Committee is scheduled for Tuesday, December 7, 2004, in Room 413 of the State Capitol.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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 31 are \$20. 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.cfm>).