

AN ACT

ENTITLED, An Act to allow for a nursing facility to be constructed on an American Indian reservation under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, a new nursing facility as defined in § 34-12-1.1 may be constructed, operated, and maintained in an area if the facility is to be located on an American Indian reservation and is required to serve a local population previously unserved through lack of nursing facilities within a forty-five-mile radius. No more than one such nursing facility may be located within the same American Indian reservation, and the number of beds in the nursing facility may not exceed fifty. The nursing facility shall meet the specifications of chapter 34-12 for a licensed nursing facility in order to participate in the medicaid program.

Section 2. No state funds may be used for the construction of a nursing facility built pursuant to section 1 of this Act.

Section 3. This Act is repealed on June 30, 2005.

An Act to allow for a nursing facility to be constructed on an American Indian reservation under certain circumstances.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1210

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1210  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State