

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

372N0582

HOUSE BILL NO. 1223

Introduced by: Representatives Bradford, Ahlers, Dennert, Elliott, Engels, Glenski, Hargens, Lucas, and Van Norman and Senators Two Bulls, Bartling, Heidepriem, Jerstad, Katus, Kloucek, Koetzle, Maher, Nesselhuf, and Peterson (Jim)

1 FOR AN ACT ENTITLED, An Act to reauthorize the construction of nursing facilities on
2 American Indian reservations under certain circumstances.

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

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

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

