

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0359

SENATE BILL NO. 38

Introduced by: The Committee on Health and Human Services at the request of the
Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the consideration of
2 assets for the purpose of long-term care eligibility.

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

4 Section 1. That § 28-6-37 be amended to read as follows:

5 28-6-37. When determining eligibility for nursing and rehabilitative services, if the
6 individual is a beneficiary of an approved long-term care partnership program policy ~~and has~~
7 ~~exhausted the benefits of the policy~~, the total countable assets of the individual shall be reduced
8 by one dollar for each one dollar of benefits paid out under the individual's approved long-term
9 care partnership program policy. The Department of Social Services is authorized to seek any
10 federal waivers to implement this policy.

