

67:62:15:09. Determination of specialized mental health services. If the division determines that the individual requires Medicaid certified swing bed or nursing facility services, the division shall also determine whether the individual may benefit from mental health services.

If the division determines that an individual requires both Medicaid certified swing bed or nursing facility services and specialized mental health services as defined in subdivision 67:62:15:01(5), the facility may admit or retain the individual and the state shall provide or arrange for the provision of the specialized mental health services needed by the individual in the Medicaid certified swing bed or nursing facility.

If the division determines that the individual does not require Medicaid certified swing bed or nursing facility services, but may benefit from mental health services, the division shall provide the individual with information regarding service options.

Source: 43 SDR 80, effective December 5, 2016.

General Authority: SDCL 1-36-25(4).

Law Implemented: SDCL 1-36-25(4).

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