

**44:04:04:07. Admissions of patients or residents.** The governing body of the facility shall establish and maintain admission, transfer, and discharge policies, with written evidence to assure the patients or residents admitted to and retained in the facility are within the licensure classification of the facility or its distinct part. The facility may admit and retain, on the orders of a practitioner, only those patients or residents for whom it can provide care safely and effectively. A nursing facility may admit and retain patients or residents only on the orders of a physician.

**Source:** SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 14 SDR 81, effective December 10, 1987; transfer agreement transferred to § 44:04:04:15, 17 SDR 122, effective February 24, 1991; 22 SDR 70, effective November 19, 1995; 27 SDR 59, effective December 17, 2000; 38 SDR 115, effective January 9, 2012.

**General Authority:** SDCL 34-12-13(5).

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