

44:70:09:03. Facility to provide information on available services. A facility shall provide the following information in writing to each resident:

(1) A list of services available in the facility and the charges for such services. The facility shall specify which items and services are included in the services for which the resident may not be charged, those other items and services that the facility offers and for which the resident may be charged, and the amount of any such charges;

(2) A description of how a resident may protect personal funds;

(3) A list of names, addresses, and telephone numbers of client advocates;

(4) A description of how to file a complaint with the department concerning abuse, neglect, and misappropriation of resident property;

(5) A description of how the resident can contact the resident's physician, physician assistant, or nurse practitioner, including the name and specialty of the physician;

(6) A description of how to apply for and use Medicare and Medicaid benefits, and the right to establish eligibility for Medicaid, including the addresses and telephone numbers of the nearest office of the South Dakota Department of Social Services and of the United State Social Security Administration;

(7) A description of the bed-hold policy that indicates the length of time the bed will be held for the resident, any policies regarding the held bed, and readmission rights of the resident; and

(8) A description explaining the responsibilities of the resident and family members regarding self-administered medication.

A signed and dated admission agreement between the resident or the resident's legal representative and the facility shall include subdivisions (1) to (8), inclusive, of this section. The resident or resident's legal representative and the facility shall complete the admission agreement before or at the time of admission and before the resident has made a commitment for payment for proposed or actual care. The agreement may not include ambiguous or misleading information and may not be in conflict with this chapter. The agreement shall be printed for ease of reading by the resident. If the agreement exceeds three pages, the agreement shall contain a table of contents or an index of principal sections. Any change in the information shall be given to the resident or the resident's legal representative as a signed and dated addendum to the original agreement.

Source: 38 SDR 115, effective January 9, 2012.

General Authority: SDCL 34-12-13(15).

Law Implemented: SDCL 34-12-13(15).