



# SOUTH DAKOTA REGISTER

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## FILINGS WITH THE LEGISLATIVE RESEARCH COUNCIL

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### Notice of Postponed/Cancelled Hearings

With government guidance regarding social distancing and group gatherings in response to COVID-19, previously scheduled public hearings on administrative rules may be cancelled or postponed. Such action will be noted in this publication as well as on agency and organization websites. Changes received as of 3/30/2020 include:

<u>Entity</u>	<u>Original Date</u>	<u>Status</u>	<u>Rescheduled Date</u>
Law Enforcement Officers Standards and Training Commission	4/22/2020	Cancelled	Pending
<a href="#">South Dakota Board of Education Standards</a>	3/16/2020	Cancelled	5/11/2020

### Notice of Proposed Rules

Date in parentheses indicates when rules were filed with the Legislative Research Council.  
Copies of proposed rules may be obtained for no charge at <https://rules.sd.gov> or from the agency directly.

**[South Dakota Electrical Commission \(Department of Labor and Regulation\)](#)**: (March 26, 2020) intends to amend rules to adopt the 2020 National Electrical Code; update the reference to the 2018 International Building Code; define terms; document the ability to utilize an owner exemption permit; document the ability to waive certain requirements; document the available options an inspector may utilize at the final stage of inspection; increase the fees for certain inspections; and establish an allotted amount of inspections per permit type. The general authority for these rules, as cited by the commission, is SDCL 36-16-12, 36-16-15, 36-16-27, and 36-16-30.

A public hearing will be held telephonically on April 21, 2020, at 10:00 a.m. CT. Telephonic access information is available via the [link](#) contained in the meeting notice. Copies of the proposed rules may be obtained without charge from, and written comments sent to, the South Dakota Electrical Commission, 308 South Pierre Street, Pierre, South Dakota 57501. The comment period will close on April 20, 2020. This hearing is being held in a physically accessible location. Persons with special needs for which the commission can make arrangements may call (605) 773-3573 at least 48 hours before the public hearing.

### Notice

The **Department of Social Services** intends to make changes to the South Dakota Medicaid State Plan reimbursement of prescription drugs at Indian Health Service (IHS) and tribal pharmacies. The proposed State Plan Amendment allows high cost prescription drugs that exceed the encounter rate to be reimbursed at IHS and tribal pharmacies at the amount other

South Dakota pharmacies would be reimbursed for the prescription drug. It amends Attachment 4.19-B, page 20a of the South Dakota Medicaid State Plan. The department intends to make this Amendment effective April 1, 2020, and estimates there will be no fiscal impact in Federal Fiscal Years 2020 and 2021. The Amendment can be viewed on the department's website at <http://dss.sd.gov/medicaid/medicaidstateplan.aspx>. Written requests for a copy of these changes, and corresponding comments may be sent to Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

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## FILINGS WITH THE OFFICE OF THE SECRETARY OF STATE

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### Executive Orders

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The Governor has signed [Executive Order 2020-07](#) and [Executive Order 2020-08](#), both dated March 23, 2020. These executive orders provide further guidance in response to the COVID-19 pandemic, relating to medical assistance and personal, business, and healthcare precautions.

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## SCHEDULED PUBLIC HEARINGS

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<b>4-2-2020</b>	<a href="#">Department of Game, Fish and Parks</a> : (March 12, 2020) intends to amend rules to modify the total "any elk" and "antlerless elk" in the Black Hills hunting season; modify the unit structure within the Black Hills elk hunting season; modify the total number of "any elk" licenses for the Custer State Park elk hunting season; modify the total number of "any elk" and "antlerless elk" licenses available for the archery elk hunting season; modify the number of "any elk" and "antlerless elk" licenses issued and change some season dates during the prairie elk hunting season; add a new unit for those portions of South Dakota west of the Missouri River not associated with another prairie elk unit; modify prairie elk Units 9, 15A, and 27A; and eliminate Unit 30A, instead including it in the West River prairie unit; 46 SDR 108, March 16, 2020.
<b>4-23-2020</b>	<a href="#">South Dakota State Historical Society (Department of Education)</a> : Amend rules to set standard fees for services provided by the State Historical Society; 46 SDR 93, January 27, 2020.
<b>5-7-2020</b>	<a href="#">South Dakota State Library Board (Department of Education)</a> : Amend rules to update fees charged to library users who damage or lose state library materials; 46 SDR 105, March 2, 2020.
<b>5-11-2020</b>	<a href="#">South Dakota Board of Education Standards (Department of Education)</a> : Amend rules to accurately reflect the federal Individuals with Disabilities Education Act (IDEA) rules amended by Every Student Succeeds Act (ESSA) and correct the definition of preschool age and preschool program to align with the IDEA preschool age; 46 SDR 97, February 6, 2020.

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## RULES REVIEW COMMITTEE MEETINGS

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The Interim Rules Review Committee met March 12, 2020, to determine its 2020 Interim schedule. The following meeting schedule has been set for the 2020 Interim: April 7, May 5, June 9, July 14, August 18, September 15, and November 10.

Watch for notices of 2020 meetings in this publication, on the [LRC website](#), and at the Capitol.

The Drafting Manual for Administrative Rules in South Dakota is available on the [Administrative Rules Manual page](#) of the LRC website and will be updated regularly to reflect changes in drafting styles and procedures.