

# REGISTER



## South Dakota Legislative Research Council

Volume 40

Monday, 8:00 a.m., December 2, 2013

**NOTICE OF PROPOSED RULES:** (None)

### NOTICES:

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning income standards for the Reasonable Classification of Children under age 21 effective January 1, 2014. The proposed State Plan Amendment (SPA) eliminates the income test for children who are in state custody or under state guardianship. The proposed amendment replaces Supplement 8a to Attachment 2.6, page 2. The Department estimates there will be no federal fiscal impact associated with this SPA. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, State Medicaid Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

The **Department of Social Services** intends to make the following changes to the South Dakota Medicaid State Plan concerning the use of financial eligibility findings used to enroll children in Medicaid effective January 1, 2014. The proposed State Plan Amendment (SPA) allows the Department to simplify the Medicaid application and enrollment process by eliminating repetitive application questions and eligibility determinations for children enrolled in SNAP. The proposed amendment adds pages 11b, 11c, 11d, and 11e to Section 2 of the South Dakota Medicaid State Plan. The Department estimates there will be no federal fiscal impact associated with this SPA. Written requests for a copy of these changes, and corresponding comments, may be sent to Kirby Stone, State

Medicaid Director, Division of Medical Services, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501-2291.

### FILINGS IN THE SECRETARY OF STATE'S OFFICE:

**DEPARTMENT OF GAME, FISH AND PARKS:** 41:06:61:02.

History-Notice: 40 SDR 53, Sept. 16, 2013  
Hearing: October 3, 2013  
Filed: November 25, 2013  
Effective: December 16, 2013

**DEPARTMENT OF GAME, FISH AND PARKS:** 41:03:04:03, 41:03:04:05:02, 41:03:04:07:01, 41:03:04:13; 41:06:02:03; 41:07:01:12, 41:07:01:18; 41:07:03:01, 41:07:03:02, 41:07:03:03; 41:07:06:01, 41:07:06:01:02, 41:07:06:03; 41:09:04:02:02, 41:09:04:02:04, and 41:09:04:03.

History-Notice: 40 SDR 67, October 15, 2013  
Hearing: November 7, 2013  
Filed: November 25, 2013  
Effective: December 16, 2013

### Executive Appointments:

**Darlene Bergeleen**, Pierre, was appointed on November 26, 2013, to the **South Dakota Board of Nursing**, to replace Teresa Disburg, effective immediately and shall continue until October 30, 2016.

**Carla Coplan**, Watertown, was reappointed on November 26, 2013, to the **Board of Barber**

**Examiners**, effective immediately and shall continue until October 30, 2016.

**Kimberly J. Cournoyer**, Sioux Falls, was appointed on November 26, 2013, to the **Council of Juvenile Services**, to replace Jamie Chambers, effective immediately and shall continue until October 30, 2016.

**Rebecca Kiesow-Knudsen**, Sioux Falls, was appointed on November 26, 2013, to the **South Dakota Crime Victims' Compensation Commission**, to replace Joni Cutler, effective immediately and shall continue until October 30, 2016.

**Sara McGregor-Okroi**, Sisseton, was appointed on November 26, 2013, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2016.

**Loren McManus**, Sioux Falls, was reappointed on November 26, 2013, to the **South Dakota Crime Victims' Compensation Commission**, effective immediately and shall continue until October 30, 2016.

**Bridget J. Myers**, Sioux Falls, was reappointed on November 26, 2013, to the **Board of Massage Therapy**, effective immediately and shall continue until October 30, 2016.

**Dan Neal**, Deadwood, was appointed on November 26, 2013, to the **South Dakota Board of Hearing Aid Dispensers and Audiologists**, effective immediately and shall continue until October 30, 2016.

**Betty L. Oldenkamp**, Sioux Falls, was appointed on November 26, 2013, to the **South Dakota Board of Nursing**, to replace John Jones, effective immediately and shall continue until October 30, 2016.

**Elizabeth O'Toole**, Sioux Falls, was reappointed on November 26, 2013, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2016.

**Kristin L. Possehl**, Sioux Falls, was reappointed on November 26, 2013, to the **South Dakota Board of Nursing**, effective immediately and shall continue until October 30, 2016.

**Marissa Surrounded**, Sioux Falls, was appointed on November 26, 2013, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2016.

**Grant Walker**, Selby, was reappointed on November 26, 2013, to the **Council of Juvenile Services**, effective immediately and shall continue until October 30, 2016.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

## REMINDER OF HEARINGS SCHEDULED

12-5-2013	Game, Fish and Parks	Amend a Uses of Parks and Public Lands rule to create an exception to the prohibition against uncased firearms and bows in Oahe Downstream Recreation Area for persons who possess a valid turkey license for Unit PST-
-----------	----------------------	---

		58B and change a reference from "Blood Run Nature Area" to "Good Earth State Park"; amend Spring Wild Turkey Hunting Season rules to change the number and type of licenses available, set the season dates, and change a reference from "Blood Run Nature Area" to "Good Earth State Park"; amend a Private Shooting Preserves rule to remove the restriction on releasing only chukar partridge and allow any species of partridge to be released; and amend Captive Game Birds rules to remove the restrictions on propagating, possessing, selling, offering for sale, or releasing from captivity only "Chukar" or "Hungarian" partridge and make the rule applicable to any species of partridge; 40 SDR 101.
--	--	---

### **RULES REVIEW COMMITTEE MEETINGS**

The last regular meeting of the Interim Rules Review Committee will be held Tuesday, December 17, 2013, in Room 414, Fourth Floor, of the State Capitol.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.sd.gov/Rules/RulesManual.aspx>.

The **South Dakota Register**, ISSN 0191-1104, is published by the South Dakota Legislative Research Council pursuant to SDCL 1-26A-1. Subscriptions to Volume 40 are \$25. Make checks payable to "State of South Dakota" and mail to the Legislative Research Council, State Capitol, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070. Information from the Register is available free of charge on the Internet at <http://legis.sd.gov>. Subscribe to receive electronic notification of the availability of the **South Dakota Register** at E-Subscribe (MyLRC) at [http://legis.sd.gov/My\\_LRC/index.aspx](http://legis.sd.gov/My_LRC/index.aspx).