

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

850S0640

SENATE HEALTH AND HUMAN SERVICES

ENGROSSED NO. **SB 140** - 2/16/2011

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Hunhoff (Jean), Hundstad, and Kraus and Representative Boomgarden

1 FOR AN ACT ENTITLED, An Act to provide for access critical nursing facilities to ensure
2 access to health care within a reasonable distance.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The Department of Social Services shall designate access critical nursing facilities
5 annually as part of the medicaid rate setting process. The department shall designate the access
6 critical nursing facilities according to the following criteria:

7 (1) No other nursing facility is located within twenty miles;

8 (2) The nursing facility is located in the largest municipality within thirty-five miles,
9 unless the next closest nursing facility is located more than fifty miles from any other
10 nursing facility;

11 (3) The nursing facility provides skilled nursing facility services;

12 (4) The nursing facility is integrated with other health care services, either through
13 affiliation with other services or through formal agreement;

14 (5) The projected nursing facility demand within the county in which the facility is



1 located is less than sixty beds in 2015; and

2 (6) The nursing facility agrees to relinquish any excess moratorium beds that are

3 authorized pursuant to § 34-12-35.4.