

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

930Y0032

SENATE BILL NO. 5

Introduced by: Senators Solano, Netherton, and Stalzer and Representatives Campbell and Steinhauer at the request of the Interim Committee on Regulation of Nursing and Assisted Living Beds

1 FOR AN ACT ENTITLED, An Act to allow for the redistribution of unused nursing facility bed
2 capacity.

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

4 Section 1. That the code be amended by adding a NEW SECTION to read:

5 A nursing facility may use any of the nursing facility's unused bed capacity before July 1,
6 2018. After June 30, 2018, any unused bed capacity shall revert to the Department of Health and
7 be retained in the unlicensed moratorium bed population for the future needs of the state.

8 Section 2. That the code be amended by adding a NEW SECTION to read:

9 Before July 1, 2023, a nursing facility may submit a proposal to use all or a portion of the
10 unused bed capacity previously held by the nursing facility. The Department of Health shall
11 utilize the process and criteria established in §§ 34-12-35.6 to 34-12-35.9, inclusive, to
12 determine the need for the additional nursing facility beds.

