

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

400Z0557

## SENATE BILL NO. 60

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to revise the administrative rule-making authority for the  
2 Department of Human Services.

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

4 Section 1. That § 1-36A-26 be amended to read:

5 1-36A-26. The secretary may promulgate reasonable and necessary rules, pursuant to chapter  
6 1-26, for the administration and operation of the program for adults and the elderly relating to  
7 the following areas:

- 8 (1) Services to enable recipients to remain in their own home and services to older  
9 persons in institutional and noninstitutional care;
- 10 (2) Legal services;
- 11 (3) Transportation services;
- 12 (4) Nutrition services;
- 13 (5) Information and referral services to help the elderly gain access to programs for their  
14 benefit;
- 15 (6) Eligibility for services;



- 1 (7) Amount, scope, and duration of services;
- 2 (8) The basis of payment to and the qualifications for providers of services;
- 3 (9) Administration of public grants, record keeping, and audit requirements;
- 4 (10) Requirements to obtain federal financial participation and ensure efficient operation  
5 and administration of the program;
- 6 (11) Adult protective services;
- 7 (12) Ombudsman services; and
- 8 (13) Payments for elderly, blind, and disabled persons residing in ~~adult foster care or~~  
9 ~~assisted living centers~~ the person's own home or in an institutional or noninstitutional  
10 setting; and
- 11 (14) Preadmission Screening/Annual Resident Review (PASARR) as defined in § 27B-1-  
12 17.