

AN ACT

ENTITLED, An Act to revise the administrative rule-making authority for the Department of Human Services.

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

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

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

- (1) Services to enable recipients to remain in their own home and services to older persons in institutional and noninstitutional care;
- (2) Legal services;
- (3) Transportation services;
- (4) Nutrition services;
- (5) Information and referral services to help the elderly gain access to programs for their benefit;
- (6) Eligibility for services;
- (7) Amount, scope, and duration of services;
- (8) The basis of payment to and the qualifications for providers of services;
- (9) Administration of public grants, record keeping, and audit requirements;
- (10) Requirements to obtain federal financial participation and ensure efficient operation and administration of the program;
- (11) Adult protective services;
- (12) Ombudsman services; and
- (13) Payments for elderly, blind, and disabled persons residing in the person's own home or

in an institutional or noninstitutional setting; and

- (14) Preadmission Screening/Annual Resident Review (PASARR) as defined in § 27B-1-17.

An Act to revise the administrative rule-making authority for the Department of Human Services.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 60

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 60

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State