

South Dakota Department of Health
Notice of Public Hearing to Adopt Rules

A public hearing will be held at the Hayes Building, Room 107, 600 East Capitol Avenue, Pierre, South Dakota, 57501, on June 6, 2017, at 1:30 p.m. in the Robert Hayes Conference Room, to consider the adoption and amendment of proposed rules numbered:
§§ 44:05:01:01, 44:05:01:02, 44:05:03:01, 44:05:03:04.01, 44:05:03:04.02, 44:05:03:05.01, 44:05:03:05.02, 44:05:03:05.03, 44:05:03:05.04, 44:05:03:05.05, 44:05:03:05.06, 44:05:03:05.07, 44:05:03:05.08, 44:05:03:10, 44:05:05:11.

The effect of the rules will be to allow for the regulation of the emergency medical responder and revise rules to reflect current standards for emergency medical technicians.

The reason for adopting the proposed rules is to allow for the regulation of the emergency medical responder and revise rules to reflect current standards for emergency medical technicians.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Health, 600 East Capitol Avenue, Pierre, South Dakota, 57501. Material sent by mail must reach the Department of Health by June 16, 2017 to be considered.

After the hearing, the Department of Health will consider all written and oral comments it receives on the proposed rules. The Department of Health may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Health at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3361.

Copies of the proposed rules may be obtained without charge from the following address, the Health Department website at doh.sd.gov/News or rules.sd.gov.

South Dakota Department of Health
600 East Capitol Avenue
Pierre, South Dakota 57501

Published at the approximate cost of \$_____.

(NOTE: A copy of this form may be obtained from the Bureau of Finance and Management. If your rules have a negative fiscal impact on a local government, such as a county or a school district, you must direct the Bureau of Finance and Management to send a copy of its fiscal note to the organizations listed in SDCL 1-26-4.2.)

**ADMINISTRATIVE PROCEDURES ACT
FISCAL NOTE
Prepared by Submitting Agency**

	CODE	NAME
DEPARTMENT	09	Health
DIVISION	03	Health Systems Development and Regulation
PROGRAM	006	Office of Rural Health/EMS

PROPOSED RULE: 44:05:01:01, 44:05:01:02, 44:05:03:01, 44:05:03:04.01, 44:05:03:04.02, 44:05:03:05.01, 44:05:03:05.02, 44:05:03:05.03, 44:05:03:05.04, 44:05:03:05.05, 44:05:03:05.06, 44:05:03:05.07, 44:05:03:05.08, 44:05:03:10, 44:05:05:11.

Hearing Date: June 6th, 2017

FISCAL IMPACT STATEMENT: Pursuant to SDCL 1-26-4.2, the rules amendment have not fiscal impact to all entities. No additional staffing or resources will be needed.

FISCAL NOTE SUMMARY: allow for the regulation of the emergency medical responder and revise rules to reflect current standards for emergency medical technicians.

List state agencies of local governmental subdivisions affected.

COST INCREASES (DECREASES)

State Agencies:	First-Year Impact	Continuous-Yearly Impact
TOTAL	0	0
Local Subdivisions:		
TOTAL	0	0
Small Business Increases (Decreases)		
TOTAL	0	0

REVENUE INCREASES (DECREASES)

Revenue Increases (Decreases) State, Local & Small Business :		
TOTAL	0	0

APPROVED Kim Maham-Pydon DATE 5/15/17
Signature Department Secretary or Board or Commission Chairman

ATTACH: Copy of proposed rules; separate sections for: 1) explanation of rules effect, i.e. what procedures, schedules, activities, etc. will change with its adoption 2) statistics used, and their source, 3) assumptions that were made to arrive at fiscal impact, 4) computations that were made, and 5) small business impact statement

Revised June 2004

FORM 14

SMALL BUSINESS IMPACT STATEMENT FORM

See SDCL 1-26-2.1

(NOTE: This form must be signed by either the head of the agency or the presiding officer of the board or commission empowered to adopt the rules. Check your statutes to see who is authorized to promulgate rules. A small business is defined as any business with 25 or fewer full-time employees. When a set of rules is proposed, a general summary shall be provided; each proposed rule amendment shall also be explained thoroughly. In the case of a large set of proposed rules which all have a single purpose and impact, one explanation is sufficient. The law makes it clear that agencies or commissions shall use readily available information and existing resources to prepare the impact statement.)

1. Our agency has determined that the rule/s we are proposing have the following type of impact on small businesses:
 - ☐ Direct impact *(please complete remainder of form)*
 - ☐ Indirect impact *(please provide a brief explanation, then sign, date, and submit form. Questions 2 through 8 do not need to be answered)*
 - ☒ No impact *(please provide a brief explanation, sign, date, and submit form - Questions 2 through 8 do not need to be answered)*

The rule changes allow for the regulation of the emergency medical responder and revise rules to reflect current standards for emergency medical technicians.

2. A general narrative and overview of the effect of the rule(s) on small business - written in plain, easy to read language:

3. What is the basis for the enactment of the rules(s)?
 - ☐ Required to meet changes in federal law
 - ☐ Required to meet changes in state law
 - ☐ Required solely due to changes in date (i.e. must be changed annually)Other: _____

4. Why is the rule(s) needed?

5. What small businesses or types of small businesses would be subject to the rule?

6. Estimate the number of small businesses that would be subject to the rule.
☐ 1-99 ☐ 100-499 ☐ 500-999 ☐ 1,000-4,999 ☐ More than 5,000
☐ Unknown - please explain _____
7. Are small businesses required to file or maintain any reports or records under this rule?
☐ Yes ☐ No
- a. If "yes," how many reports must a small business submit to the state on an annual basis?
- b. If "yes," how much ongoing recordkeeping within the business is necessary?
- c. If "yes," what type of professional skills would be necessary to prepare the reports or records?
- ☐ The average owner of a small business should be able to complete the reports and/or records with no assistance
 - ☐ It is likely that a bookkeeper for a small business should be able to complete the reports and/or records
 - ☐ It is likely that a small business person would need the assistance of a CPA to complete the reports and/or records
 - ☐ It is likely that a small business person would need the assistance of an attorney to complete the reports and/or records
 - ☐ Other _____
 - ☐ Unknown - please explain _____
8. Are there any less intrusive or less costly methods to achieve the purpose of the rule (i.e. fewer reports, less recordkeeping, lower penalties)?
☐ No - please explain _____
☐ Yes - please explain _____

5/15/17
Dated

Kim Malsam-Pydlor
Authorized Signature

Department of Health
Name of Agency