

ARTICLE 44:72

REDISTRIBUTION OF NURSING FACILITY BEDS

Chapter

- 44:72:01 Geographic and population requirements.
- 44:72:02 Proposal viability.
- 44:72:03 Demonstration of local community support.
- 44:72:04 Quality assurance requirements.
- Workforce.

CHAPTER 44:72:01

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GEOGRAPHIC AND POPULATION REQUIREMENTS

Section

- 44:72:01:01 Geographic area.
- 44:72:01:02 Population to be served.

44:72:01:01. Geographic area. An eligible proposal for additional nursing facility beds pursuant to SDCL 34-12-35.8 shall specify that the additional beds will be housed in a new or existing nursing facility ~~that is located in or near the communities of Sioux Falls and Rapid City,~~ an identified area of need in South Dakota.

Source: 39 SDR 119, effective January 8, 2013; 42 SDR 51, effective October 13, 2015.

General Authority: SDCL 34-12-35.8(2).

Law Implemented: SDCL 34-12-35.8(2).

44:72:01:02. Population to be served. Any new or existing facility requesting additional nursing facility beds shall be either Medicare-certified, Medicaid-certified, or both, or have skilled nursing services available on-site. The skilled services shall be part of the facility's normal delivery of services. ~~The new or existing facility shall accept residents with complex medical conditions requiring specialized equipment or increased staff resources, or both.~~ No new or existing facility requesting additional nursing facility beds may place any restriction on admissions as part of the facility's admissions agreement, other than those allowed in article 44:04.

Source: 39 SDR 119, effective January 8, 2013.

General Authority: SDCL 34-12-35.8(2).

Law Implemented: SDCL 34-12-35.8(2).

CHAPTER 44:72:02

PROPOSAL VIABILITY

Section

44:72:02:01 Proposal viability.

44:72:02:01. Proposed viability. ~~Any~~ Upon request, any nursing facility that submits a proposal shall include a copy of the facility's audited financial statements. The audited financial statements shall be provided in the form of an independent auditor's report from the most recent fiscal period available. The audited financial statements shall demonstrate the facility's overall financial health and long term financial sustainability.

Source: 39 SDR 119, effective January 8, 2013.

General Authority: SDCL 34-12-35.8(3).

Law Implemented: SDCL 34-12-35.8(3).

CHAPTER 44:72:03

DEMONSTRATION OF LOCAL COMMUNITY SUPPORT

Section

44:72:03:01 Local community support ~~required~~ allowed.

44:72:03:01. Local community support ~~required~~ allowed. An eligible proposal requesting additional nursing facility beds pursuant to SDCL 34-12-35.8 ~~shall~~ may contain documentation of local community support for the proposals, including letters of support from health care providers in the service area, local government, and nonprofit associations or organizations.

Source: 39 SDR 119, effective January 8, 2013.

General Authority: SDCL 34-12-35.8(4).

Law Implemented: SDCL 34-12-35.8(4).