

Department of Human Services
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Large Conference Room, Hillsvue Plaza, 3800 E. Hwy 34, Pierre, South Dakota, on October 10, 2019, at 1:00 p.m. to 5:00 p.m., to consider the adoption and amendment of proposed rules numbered

§§ 46:04:01:03.01, 46:04:01:16, 46:04:01:18, 46:04:01:27, 46:11:04:15.01, 46:11:04:15.03, 46:11:05:03, 46:11:08:03, 46:11:09:02, 46:11:09:11, 46:11:10:03, 46:11:10:05, 46:11:10:06, 46:11:10:07, 46:11:10:08, 46:11:10:09, 46:11:10:11, 46:11:10:12, 46:11:10:13, and 46:11:10:15.

The effect of the rules and the reason for adopting the proposed rules is to: limit participants in shared living to individuals with IDD/DD age 22 and older; require training for disability awareness, the participant's Individual Service Plan, and abuse, neglect, and exploitation for respite care providers and anyone over 18 years of age living in the home; allow a cell phone to be used instead of requiring a landline; prohibit a shared living provider from being a representative payee over a participant's money; specify the staff orientation requirements of providers of case management; clarify what Individual Service Plan expectations are for a participant's goals; eliminate a rule concerning alternative day services; add new training requirements to include focusing on the participant's needs to achieve their good life; add new requirements to ISP development to include Charting the LifeCourse principles; modify coordination of required actions and timeframes; repeal a rule which is repetitive with DSS Medicaid rules; eliminate a rule stating that no services are provided if state funds are not available; change the name of Statewide Family Support to Strengthening Families Program; and update the age requirement from 2 ½ to 3 years of age for incontinence supplies.

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 Department of Human Services, Hillsvue Plaza, 3800 East Highway 34, c/o 500 E. Capitol, Pierre, South Dakota 57501-5070. Material sent by mail must reach the Department of Human Services by 5 p.m. on October 21, 2019 to be considered.

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

For Persons with Disabilities: The hearing will be located at a physically accessible place. Please contact the Department of Human Services at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling (605) 773-5990 or (605)773-6412 TTY.

Copies of the proposed rules may be obtained without charge from:

Department of Human Services
Hillsvue Plaza, East Highway 34
c/o 500 East Capitol
Pierre, South Dakota 57501-5070

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