

FORM 6
South Dakota Board of Nursing
Notice of Public Hearing to Adopt Rules

A public hearing will be held on August 11, 2021 in Sioux Falls, SD at 9:00 a.m. CDT, in the Dakota Meeting Room at the Holiday Inn Express located at 3821 West Avera Drive, Sioux Falls, South Dakota, 57108, to consider the adoption and amendment of proposed rules:

§§ 20:48:03.01:01, 20:48:03.01:04; 20:48:05:01; 20:48:08; 20:48:09; 20:48:11; 20:48:14; 20:48:17; and 20:62:05.

The effect of amending **§§ 20:48:03.01:01** and **20:48:05:01** will be to update the clinical nurse specialist and certified registered nurse anesthetist applications for licensure. Amending the rules, including repealing **§ 20:48:03.01:04**, will update and remove outdated language on examinations, provide consistency with current licensing process, and allow the evaluation of educational qualifications for endorsing applicants who completed substantially equivalent education programs in other jurisdictions.

Chapters 20:48:08, 20:48:09, 20:48:11, and 20:62:05 will be repealed following enactment of HB 1014 and implementation in SDCL 36-1C on July 1, 2021. These rules, which clarify disciplinary procedures and the declaratory rulings process, are no longer needed.

The effect of amending **Chapter 20:48:14, Nursing Corporations** is to add application requirements for a nurse to request a certificate of registration for a health care corporation, pursuant to SDCL 47-11F; and to remove requirements no longer in effect. These rules clarify the requirements and process for approval, renewal, and denial of a certificate.

The effect of adding **chapter 20:48:17** is to implement changes in SDCL 36-2A that became effective July 1, 2021 following enactment of SB 4. The new laws allow the board to conduct a health professional assistance program. This chapter outlines standards for operating the program, including qualifications and duties of program personnel and the evaluation committee; approval of treatment programs and health professionals; enrollment, application, and admission criteria and processes; and program participation, monitoring, discharge, and reporting requirements.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing or mail them to the South Dakota Board of Nursing, 4305 South Louise Ave., Suite 201, Sioux Falls, South Dakota, 57106. Material sent by mail must reach the South Dakota Board of Nursing by August 2, 2021, to be considered. Comments may be sent by email to Linda.Young@state.sd.us.

After the public hearing, the board will consider all written and oral comments it receives on the proposed rules. The board 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: This hearing will be located at a physically accessible place. Please contact the South Dakota Board of Nursing at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-362-2760.

Copies of the proposed rules may be obtained without charge from the South Dakota Board of Nursing, 4305 South Louise Ave., Suite 201, Sioux Falls, South Dakota, 57106.

Published at the approximate cost of \$_____.