

FORM 6

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

A public hearing will be held at the Hayes Building 1st Floor Conference Room, 600 East Capitol Avenue, Pierre, South Dakota, 57501, on December 8, 2021 at 11 a.m. CST, to consider the adoption and amendment of proposed rule numbered:

§ 44:67:04:13

The effect of this rule will be to require that no medical abortions by use of mifepristone and misoprostol may be conducted except in a licensed abortion facility, with an observation period, and that the pregnant woman must be informed that if she changes her mind about the abortion and decides to carry the baby to term the effects of the medications may be reversible. The abortion facility shall also collect and maintain certain information.

The reason for adopting the proposed rule is to protect the health and safety of women that is at-risk due to the expected FDA lifting of additional safety protocols regarding the use of mifepristone and misoprostol. The rule requires that mifepristone and misoprostol used for a medical abortion may only be prescribed and dispensed by a licensed physician and administered in person in a licensed abortion facility consistent with SDCL 34-23A, and to require reporting of certain information.

Persons interested in presenting data, opinions, and arguments for or against the proposed rule may do so by appearing in person at the hearing, joining the hearing via phone by dialing 1.866.410.8397 using conference code: 605 773 5752, or by sending comments 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 December 18, 2021 to be considered.

After the hearing, the Department of Health will consider all written and oral comments it receives on the proposed rule. 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 rule 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

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