

NOTICE OF PUBLIC HEARING
DEPARTMENT OF SOCIAL SERVICES

A public hearing will be held in the Department of Social Services Building, Prairie Conference Room, 811 East 10th Street, Sioux Falls, SD 57103, on Friday, July 29, 2022, at 10:30 a.m. Central Time, 9:30 a.m. Mountain Time, to consider the adoption and amendment of proposed Department of Social Services' Medical Services Administrative Rules of South Dakota numbered

§§ 67:16:01:25, 67:16:01:26, 67:16:01:27, 16:16:03:14, 67:16:06:04, 67:16:07:04, 67:16:07:05, 67:16:24:03, 67:16:35:03, 67:16:38:01 to 67:16:38:18, inclusive, 67:16:39:10, 67:16:39:13, 67:16:39:15, 67:16:41:02, 67:16:41:09, 67:16:41:10, 67:16:41:14, 67:16:42:08, 67:16:46:01 through 67:16:46:04, inclusive, 67:16:46:08, 67:16:46:10, 67:16:48:01, 67:54:04:06.

The effect of the rule changes will be to update to current coding manuals; update the dental limit for nonemergency services; clarify the podiatry services reimbursement rate; update podiatric coverage to account for metabolic, neurologic or peripheral vascular disease coverage; clarify personal care services provider level determinations; update an age limit to align with school district services coverage; repeal obsolete rules regarding case management which are more appropriately detailed in the coverage and reimbursement chapter of community mental health center (CMHC); update "diabetes education program" terminology to "diabetes self-management training" and clarify diabetes education coverage; update language to allow an Independent Mental Health Practitioner (IMHP) to provide medically necessary treatment with a provisional mental diagnosis to align coverage with CMHC; update substance use disorder definitions; and to changes the ICAP assessment requirements from every 3 years to annually.

The reason for adopting the proposed rules is to have the most recent coding manuals referenced in rule; provide clarification in several areas; update dental and podiatric coverage for better overall health outcomes; clarify that a personal care provider shall utilize SDCL Ch. 36-9 to determine if services must be delivered by a nurse; provide consistency of care for school age children; repeal obsolete rules; update diabetes training terminology for consistency with the state plan; clarify coverage for mental health coverage with a provisional diagnosis; clarify diabetes education coverage, update substance use disorder definitions for consistency; and to change the ICAP assessment requirements from every 3 years to annually.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may:

- 1) Appear in-person at the hearing;
- 2) May attend telephonically by calling 1-866-705-2554 and using conference code 774432#;
- 3) Can mail them to Teresa Schulte, Administrative Rules, Department of Social Services, 811 East 10th Street, Sioux Falls, SD 57103; or
- 4) Can email them to DSSAdminRules@state.sd.us.

The deadline to submit any such written comments for consideration by DSS is ten days after the date of the public hearing, August 8, 2022.

After the written comment period, the Department of Social Services will consider all written and oral comments it receives on the proposed rules. The Department of Social 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: This hearing will be located at a physically accessible place. Please contact Department of Social Services at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling (605)-367-5444 ext. 1000309.

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

Teresa Schulte	and/or	http://rules.sd.gov
Administrative Rules	and/or	emailing a request to: DSSAdminRules@state.sd.us
Department of Social Services		
811 East 10 th Street		
Sioux Falls, SD 57103		

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