

Department of Human Services  
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Hillsview Building, 3800 East Highway 34 Pierre, South Dakota 57501, on Friday, September 30th, at 1:00pm (Central) / 12:00pm (Mountain), to consider the proposed amendments and repeal of Administrative Rules of South Dakota numbered

§§ 46:30:09:03, 46:30:10:03, 46:30:12:01, 46:30:12:03, 46:31:01:05, 46:04:01:01, 46:04:01:02, 46:04:01:04, 46:04:01:06, 46:04:01:08, 46:04:01:09, 46:04:01:11, 46:04:01:12, 46:04:01:15, 46:04:01:16, 46:04:01:21, 46:04:01:24, 46:04:01:27, 46:11:01:01, 46:11:02:05.1, 46:11:02:06, 46:11:02:07, 46:11:02:09, 46:11:02:10, 46:11:03:00, 46:11:04:04, 46:11:05:02, 46:11:05:05, 46:11:05:05.1, 46:11:05:05.2, 46:11:07:16, 46:11:08:01, 46:11:08:02, 46:11:11:05, and the proposed repeal of 46:04:01:10 and 46:11:06:03

The effect of the rules will be to increase eligibility for certain telecommunications equipment; to correct and specify eligibility for the communication assistance services program; to add criteria for denial, suspension or revocation of interpreter certification; update shared living terminology and compliance requirements; expand time for shared living required training and training requirements; amend definitions; adjust provider enrollment requirements; clean up language and internal references; specify records requirements; update case management provisions; clarify the requirement for a functional behavior analysis; clarify provider role regarding immunizations; increase eligibility for community training services; to repeal day service provisions within the shared living chapter; and to repeal the 300-foot provider building separation requirement.

The reason for adopting the proposed rules is to increase eligibility for certain telecommunications equipment, add safeguards in the interpreter certification process, support on-going best practices for supporting those with disabilities, to provide clarity for providers, to update provisions, and to repeal unnecessary regulation.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, or mail or e-mail them to The Department of Human Services, Hillsview Plaza, 3800 E Hwy 34 c/o 500 East Capitol Ave, Pierre, SD 57501; DHSInfo@state.sd.us. The deadline to submit any such written comments for consideration is October 17, 2022.

After the written comment period, 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: This 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.

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

South Dakota Department of Human Services  
Hillsview Plaza  
3800 E Hwy 34

c/o 500 East Capitol Ave  
Pierre, SD 57501  
[DHSInfo@state.sd.us](mailto:DHSInfo@state.sd.us)  
605-773-5990

or online at [Rules.SD.Gov](http://Rules.SD.Gov)

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