

DEPARTMENT OF HUMAN SERVICES, DEPARTMENT OF SOCIAL SERVICES, AND DEPARTMENT
OF HEALTH

NOTICE OF PUBLIC HEARING TO ADOPT RULES

A rescheduled public hearing, originally intended to take place on October 30, 2013, will be held on Wednesday, November 27, 2013, from 2:00 p.m. to 4:00 p.m. in Pierre, SD, at the Department of Human Services Office, 3800 E. Highway 34, Hillsview Plaza, in the Large Conference Room, to consider the adoption and amendment of the following proposed rules:

Amendment of sections §§ 44:71:01:01; 46:17:01:01; 46:17:02:02 to 46:17:02:05, inclusive; 46:17:03:01 and 02; 46:17:04:01 and 02; 46:17:04:05 to 46:17:04:07, inclusive; 46:17:04:09; 46:17:04:12 to 46:17:04:18, inclusive; 46:17:05:01 to 46:17:05:05, inclusive; 46:17:06:02; 46:17:06:04 to 46:17:06:10, inclusive; 46:17:06:10 to 46:17:06:13, inclusive; 67:12:01:44; 67:16:02:04; 67:16:02:06; 67:16:04:61; 67:16:05:05.01; 67:16:11:03.20; 67:16:14:06.04; 67:16:16:01; 67:16:16:09; 67:16:24:03; 67:16:25:06.01; 67:16:29:04; 67:16:36:01; 67:16:36:04 and 05; 67:16:37:14; 67:16:41:10; 67:16:42:02 and 03; 67:16:42:05; 67:40:07:01; 67:40:18:01; 67:45:01:08; 67:45:02:09; 67:46:03:07; 67:46:09:01; 67:46:09:06 to 67:46:09:12, inclusive; 67:48:01:01; 67:48:02:02; 67:54:03:01 to 67:54:03:04, inclusive; 67:54:03:07 to 67:54:03:09, inclusive; 67:54:04:01; 67:54:04:04 67:54:04:06, inclusive; 67:54:04:09; 67:54:04:18.01; 67:54:07:09; 67:54:09:12 and 13.

The effect of these changes will be to: remove all references to “mental retardation” or “mentally retarded” from Department of Human Services, Department of Social Services, and Department of Health Administrative Rules and replace them with “intellectual disability”. These changes will remove terms from South Dakota Administrative Rules that are outdated and offensive and replace those terms with more appropriate people’s first language. The new terminology will not alter the meaning of any current rules nor will it impact any determinations for eligibility of services.

Persons interested in presenting data, statements, 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, Hillsview Plaza, E. Highway 34, c/o 500 E. Capitol, Pierre, SD 57501-5070. C/o Eve Smith, Administrative Rules Coordinator. **Material sent by mail must reach the Department of Human Services by 5 p.m. on December 9, 2013, to be considered.**

After the hearing, the Department of Human Services, Department of Social Services, and Department of Health will consider all written and oral comments it receives on the proposed rules. The Departments 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 above-mentioned office within 48 hours of the public hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605) 773-5990 or (605) 773-6412 TTY.

The Department of Human Services, the Department of Social Services, and the Department of Health, upon their own motion or at the instance of any interested persons, may thereafter adopt the above proposals substantially as set forth above without further notice.

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

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

Or downloaded from the SD Department of Human Services website at: <http://dhs.sd.gov/>

Or email eve.smith@state.sd.us for a copy.