

Department of Human Services
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Hillsview Building, Seasons Conference Room, 3800 East Highway 34 Pierre, South Dakota 57501 on Tuesday, April 30, 2024, at 11:00 am (Central) / 10:00 am (Mountain), to consider the amendment of proposed Administrative Rules of South Dakota:

§ 46:11:08:05

The effect of the amended rule will be to allow providers of CHOICES waiver services to cease providing services to participants appealing a termination notice after a decision is issued, or ninety days from the date of the termination notice, whichever is sooner; to clarify who may appeal; and to clarify what is reviewed during appeal hearings.

The reason for adopting the proposed amended rule is to provide certainty to providers as to the maximum amount of time services must be provided after issuing a termination notice, balanced with participants' rights to due process; and to provide clarity about the appeal process.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rule may appear in-person at the hearing or participate remotely using any one of these three methods to join via Microsoft Teams:

By link: <https://bit.ly/DHS-ARSD-Termination-Rule>

Meeting ID: 236 216 459 797

Passcode: cnwcg6;

Dial-in by phone

+1 605-679-7263,,798649295# United States, Sioux Falls

Phone conference ID: 798 649 295#

Join on a video conferencing device

Tenant key: teams@ddn.sd.gov

Video ID: 116 809 772 1

Or persons may mail or e-mail them to: Department of Human Services, Hillsview Plaza 3800 E. Hwy 34 c/o 500 East Capitol Ave. Pierre, SD 57501 or dhsinfo@state.sd.us. The deadline to submit any such written comments for consideration is May 14, 2024.

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:

Department of Human Services
3800 E Hwy 34 c/o 500 E Capitol Ave
dhsinfo@state.sd.us
605-773-5990

and/or

rules.sd.gov

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