

FORM 6

Department of Human Services Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Department of Human Services Hillview building, Bridges Conference room, 3800 East Highway 34, Pierre, South Dakota 57501 on June 11th, 2024 at 11 am Central Time, to consider the adoption and amendment of proposed Administrative Rules of South Dakota numbered:

§§ 67:44:03:01, 67:44:03:02, 67:44:03:03, 67:44:03:03.1, 67:44:03:04, 67:44:03:05, 67:44:03:06, 67:44:03:10, 67:44:03:11, 67:44:03:12, 67:44:03:15, and 67:44:03:16;

The effect of the rules will be to update and add definitions; clarify institutionalized and clarify the setting for eligibility; add the requirement for HOPE waiver services to include the individual must have an Individual Support Plan per the Centers for Medicare and Medicaid Services; update the provisions; clarify the requirement for each individual to participate in a needs assessment when applying for HOPE waiver services and participate in the assessment; specify the contents of the individual support plan and that it must be signed by the participant; clarify the department must annually redetermine the participant's level of care; update and reorder the list of services available through the HOPE waiver; clarify language on the participant cost share when applicable; update the location of the fee schedule; update reasons for discontinuance or denial; and add the cost of services and an exceptions process.

The reason for adopting the proposed rules is to ensure program language is clear, to update administrative rules to match Medicaid waiver requirements, and to promote on-going best practices for assisting persons in need of services.

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

- 1) Attend in-person at the public hearing;
- 2) Attend telephonically by calling 1-605-679-7263 and using conference code 188911552#;
- 3) Attend the public hearing by video conference by clicking the link [Join the meeting now](#) or at <https://bit.ly/43E8RwP>
- 4) Mail them to Department of Human Services, Hillview Plaza, 3800 E Hwy 34 c/o 500 East Capitol Ave, Pierre, SD 57501;
- 5) Email them to DHSInfo@state.sd.us.

The deadline to submit any such written or verbal comments for consideration by the Department of Human Services is June 21st, 2024, ten days after the date of the public hearing.

After the comment period, the Department of Human Services will consider all written and verbal 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 location. 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
605-773-5990

Copies of the proposed rules are also available at: <http://rules.sd.gov>.

Published at the approximate cost of \$_____.