

Department of Social Services
Notice of Public Hearing to Adopt Rules

A public hearing will be held in the Department of Social Services Building, Oak Conference Room B110A, 1501 S Highline Ave, Sioux Falls, SD 57110, on Tuesday, August 12, 2025, at 11:00 a.m. Central Time, to consider the adoption and amendment of proposed Administrative Rules of South Dakota numbered

§§ 67:16:50:01 to 67:16:50:23, inclusive, 67:62:15:01 to 67:62:15:19, inclusive.

The effect of the rules will be to repeal the existing Preadmission Screening and Resident Review (PASRR) rules chapter and replace it with an updated PASRR rules chapter. The effect will also be to remove the 75+ age categorical, add a new emergency placement categorical option, remove swing bed from the PASRR requirements, better detail the difference between a PASRR exemption versus a categorical determination, and to better detail the responsibilities of the State Medicaid Authority and Mental Health Authority.

The reason for adopting the proposed rules is reflect current CFR regulations, align the rules to our updated, approved state plan and practices, cleanup language overall, and to update form and style.

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 1-605-679-7263 and using conference code 424 928 756#;
- 3) Mail them to Teresa Schulte, Administrative Rules C219, Department of Social Services, 1501 S Highline Ave, Sioux Falls, SD 57110; or
- 4) Email them to DSSAdminRules@state.sd.us.

The deadline to submit any such written comments for consideration by the Department of Social Services is August 22, 2025, ten days after the date of the public hearing.

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 the 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) 674-5771.

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

- 1) Contacting Teresa Schulte at Administrative Rules C219, Department of Social Services, 1501 S Highline Ave, Sioux Falls, SD 57110;
- 2) Visiting <http://rules.sd.gov>; or
- 3) Emailing a request to: DSSAdminRules@state.sd.us.