

NOTICE OF PUBLIC HEARING
DEPARTMENT OF SOCIAL SERVICES
(Proposed: May 08, 2014)

A public hearing will be held in the Kneip Conference Room 1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota on May 08, 2014, at 3:30 p.m., to consider the amendment of the following Recoveries and Investigations rule relating to liens and estate recoveries:

Chapter 67:48:02. §67:48:02:01.

This meeting is being held in a physically accessible place. Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) in advance of the meeting to make any necessary arrangements.

The effects of the rule will be to delete from the definition of an “estate” the reference to SDCL 10-40-1, which was repealed during the 2014 legislative session effective July 1, 2014, to update the definition of an “estate” to include the definition in SDCL 29A-1-201 and other property or assets in which the individual had any legal title or interest, and to clarify the amount included in the “estate” from funds for prepaid burial expenses. The rule is being amended to insure continued alignment with the expanded definition of estate under 42 USC 1396p(b)(4), and for consistency with current practice.

Persons interested in presenting data, 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 Ann Holzhauser, Division of Legal Services, Department of Social Services, 700 Governors Drive, Pierre, SD 57501. Material sent by mail must reach the Department of Social Services by May 18, 2014, to be considered.

For purposes of assisting the Department to fully understand the issues being addressed, individuals intending to present oral testimony at the hearing are asked to make a written copy of their testimony available to the Department. Written comments and testimony must relate directly to the changes being proposed and must cite the specific rule number to which the comments are being directed.

Interested persons may, at any time prior to the hearing, obtain copies of the proposed rules by contacting Ann Holzhauser, Division of Legal Services, Department of Social Services, 700 Governors Drive, Pierre, SD 57501. Copies of the proposed rules are also available at: <http://rules.sd.gov>.

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)-773-3165.

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