

Form 6

Department of Social Services Notice of Public Hearing to Adopt Rules

A public hearing will be held at the DSS Building, Prairie Conference Room, 811 East 10th Street, Sioux Falls, SD 57103 on Monday, October 4, 2021, at 11:00 a.m. Central Time, to consider the adoption and amendment of proposed Behavioral Health rules numbered

§§ 67:61:01:01, 67:61:02:01 through 67:61:02:17, 67:61:02:19 through 67:61:02:21, 67:61:03:01 through 67:61:03:04, 67:61:04:01, 67:61:04:02, 67:61:04:04 through 67:61:04:10, 67:61:05:01 through 67:61:05:12, 67:61:06:01 through 67:61:06:08, 67:61:07:01 through 67:61:07:12, 67:61:08:01 through 67:61:08:10, 67:61:09:01, 67:61:09:02, 67:61:10:01 through 67:61:10:03, 67:61:11:01 through 67:61:11:08, 67:61:12:01, 67:61:12:02, 67:61:12:04, 67:61:13:01 through 67:61:13:03, 67:61:13:05, 67:61:14:01 through 67:61:14:03, 67:61:14:05, 67:61:15:01 through 67:61:15:05, 67:61:16:01 through 67:61:16:04, 67:61:16:06, 67:61:17:01 through 67:61:17:08, 67:61:17:10, 67:61:18:01 through 67:61:18:07, 67:62:02:01 through 67:62:02:16, 67:62:02:18 through 67:62:02:21, 67:62:04:01, 67:62:04:03, 67:62:04:04, 67:62:05:01, 67:62:05:02, 67:62:05:06 through 67:62:05:08, 67:62:06:07 through 67:62:06:09, 67:62:07:01 through 67:62:07:06, 67:62:08:01 through 67:62:08:14, 67:62:09:01, 67:62:09:02, 67:62:10:01, 67:62:10:02, 67:62:10:04, 67:62:11:01, 67:62:11:02, 67:62:11:04, 67:62:12:01, 67:62:12:02, 67:62:12:04, 67:62:13:01 through 67:62:13:06, 67:62:13:08, 67:62:14:01, 67:62:14:02, 67:62:14:05 through 67:62:14:09, 67:62:15:01, 67:62:15:03, 67:62:15:04, and 67:62:15:17 through 67:62:15:19.

The primary effect of the rule changes is to replace the term division with department throughout most of the articles 67:61 (Substances Use Disorder) and 67:62 (Mental Health). The accreditation and licensing of providers or agencies recently transitioned to the newly formed Office of Licensing and Accreditation within the Department of Social Services. The proposed change of “division” to “department” within articles 67:61 and 67:62 will reflect this organizational change and allow the Office of Licensing and Accreditation to sign the accreditation certificates issued to agencies by the office that completes the work.

Additional effects of the rule changes will be to update form and style to current guidance throughout the rules including the removal of acronym’s and to correctly locate SDCL subsection from law implemented to general authority sections. This will be consistent with other rules recently amended.

The reason for adopting the proposed rules is to give authority to the new Office of Licensing and Accreditation within the Department of Social Services so they have the authority to sign the accreditation certificates issued to agencies by the office that completes the work. Additional reasons for adopting the proposed rules are for consistency with form and style and authority throughout articles 67:61 and 67:62.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, may attend telephonically by calling 1-866-410-8397 and using conference code 5948747397 or mail them to Teresa Schulte, Administrative Rules, Department of Social Services, 811 East 10th Street, Sioux Falls, SD 57103. Material sent by mail must reach the Department of Social Services by October 14, 2021, to be considered.

After the public hearing, 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 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)-367-5444 ext. 1000309.

Copies of the proposed rules may be obtained without charge from: Teresa Schulte, Department of Social Services, 811 East 10th Street, Sioux Falls, SD 57103. Copies of the proposed rules are also available at: <http://rules.sd.gov>.

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