



South Dakota Board of Nursing Facility Administrators

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SOUTH DAKOTA BOARD OF NURSING FACILITY ADMINISTRATORS PUBLIC HEARING SEPTEMBER 20, 2023

President Hinker called the Public Hearing to order at 1:02 pm Central on Wednesday, September 20, 2023 and noted that this was time and place for the Board of Nursing Facility Administrators Public Hearing to consider changes to the administrative rules as provided in the Notice of Public Hearing to Adopt Rules.

Hearing Officer: Justin Hinker

Members of the Board: Justin Hinker, Tim Yeaton and Marilyn Kinsman

Board staff: Brittany Novotny and Lisa Harsma

Legal Counsel: Shelly Munson

President Hinker noted that statements made during the hearing were being recorded in the minutes, due notice of this public hearing was published in three South Dakota newspapers and was made to interested parties in advance of the hearing. President Hinker noted that the proposed rules had been edited for compliance with the requirements for form, style and legality as requested by the South Dakota Legislative Research Council pursuant to SDCL 1-26.

President Hinker discussed the proposed rules, noting that the proposed rules will complete a fee update that was originally scheduled in 2020 and delayed due to the pandemic and will also update certain statutory references.

Written Testimony: President Hinker entered into the record the following letters that were received prior to the hearing:

- A. SD Association of Healthcare Organizations – Letter of Support
- B. SD Health Care Association – Letter of Support
- C. Michael Christensen - Recommendation

Verbal Testimony: There was no verbal testimony.

President Hinker closed testimony and opened the public hearing to Board Discussion and/or action.

The letter received from Michael Christensen was reviewed. The Board highlighted that the language in administrative rule is consistent with the language in the corresponding statute. The

Board expressed appreciation for the feedback but felt that keeping the language in statute and administrative rule consistent was important and therefore did not adopt the recommendation.

Yeaton moved that the South Dakota Board of Nursing Facility Administrators approve the adoption of the amended rules 20:49:04:01; 20:49:05:01; 20:49:06:01; 20:49:08:01; 20:49:08:01.01; 20:49:08:02; 20:49:15:01; 20:49:15:02 including the LRC edits for compliance with the requirements for form, style and legality. Second by Hinker. Motion carried.

There being no further business, the public hearing was adjourned at 1:08 p.m.

Jason Hanssen
Secretary