

AN ACT

ENTITLED, An Act to authorize the construction of nursing facilities on American Indian reservations under certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the provisions of §§ 34-12-35.4 and 34-12-39.2, a new nursing facility as defined in § 34-12-1.1 may be constructed, operated, and maintained on any American Indian reservation that is wholly or partially located west of the one hundred second meridian if the facility is needed to serve a local population previously unserved through lack of nursing facilities within a forty-five-mile radius. No more than one such nursing facility may be located within the same American Indian reservation, and the number of beds in the nursing facility may not exceed fifty. The nursing facility shall meet the specifications of chapter 34-12 for a licensed nursing facility in order to participate in the medicaid program.

Section 2. No state funds may be used for the construction of a nursing facility built pursuant to section 1 of this Act.

Section 3. This Act is repealed on June 30, 2012.

An Act to authorize the construction of nursing facilities on American Indian reservations under certain circumstances.

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I certify that the attached Act originated in the SENATE as Bill No. 157

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 157
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____, 20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby approved this _____ day of _____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State