

Attachment 4.11-A Standards

The following types or kinds of institutions are those in which medical care and services may be provided under the plan by such institutions:

1. Public, other than State or Federal, and private general or specialized hospitals that are licensed by the officially designated State standard setting authority; are qualified to participate under Title XVIII of the Social Security Act, or are determined currently to meet requirements for such participation; and have in effect a hospital utilization review plan applicable to all patients who receive medical assistance under the Medicaid program. State or Federal owned hospitals do not have to be licensed, however, they must meet the requirements for participation under Title XVIII of the Social Security Act.
2. Public Nursing Facilities and Intermediate Care Facilities for the Mentally Retarded or small community ICF/MR facilities with less than 16 beds which meet standards established officially designated State Standard setting authority; or private Nursing Facilities that are licensed as nursing facilities by the officially designated State licensing authority, and which meet Title XIX certification requirements for NF's and/or ICF/MR's.

The following citations of State statutes indicate that the authorities cited above are State authorities, not local authorities, and that the authorities are empowered and have the duty to establish and maintain standards for the types of institutions where medical care and services may be provided:

South Dakota compiled laws (SCDL):

Title 27A	Mentally Ill Persons
Title 27B	Mentally Retarded Persons
Title 34	Public Health and Safety

The following chapters administrative rules of South Dakota (ARSD) describe health and non-health standards used in licensing or certifying public or private medical facilities:

ARSD 67:28	Department of Human Services
ARSD 44:04	Department of Health

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Chapter 34M.8, Section 34M.801-34M.808, Medication control.

Chapter 34M.9, Section 34M.901-34M.906, Record services

Chapter 34M.10, Section 34M.1001-34M.1008, Hospital diagnostic services.

Chapter 34M.11, Section 34M.1101-1105, Hospital complementary service.

Chapter 34M.12, Section 34M.1201-1204, Long term care diversionary services.

Chapter 34M.13, Section 34M.1301-1349, Construction standards for hospitals, skilled nursing, intermediate care and supervised personal care facilities.

Chapter 34M.14, Section 34M, 1401-1427, Additional construction standards for hospitals.

Chapter 34M.15, Section 34M.1501-34M.1506, Additional construction standards for skilled nursing, intermediate care, and supervised personal care facilities.