

SOUTH DAKOTA

Ryan VanLaecken, President

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The South Dakota state legislature is in session. The following topics have been or will be discussed:

Funding increase for Medicaid providers (General Appropriations Bill FY 2024 budget)

The Governor proposed a 5% increase for Medicaid reimbursement. This will only address inflation. Current Medicaid reimbursement rates are approximately 56% of the average fee charged in South Dakota and well below the cost of overhead in most dental practices. The South Dakota Dental Association (SDDA) is asking the Appropriations Committee to fund the Dental Medicaid budget at \$32 million in order to reach the targeted reimbursement level of 70% of the average fees. SDDA members have been asked to contact their legislators and ask for better reimbursements in order to ensure adequate access to dental care.

Adding dental practices as eligible facilities to participate in the rural health care recruitment program (House Bill 1155)

This bill would add dental offices to the list of facilities that can participate in the rural health care facilities program, thereby allowing dentists in rural areas to use the program to recruit dental hygienists. The bill passed the House of Representatives and is supported by the SDDA and SD Dental Hygienists Association.

Prohibit certain restrictive employment contracts (House Bill 1087)

South Dakota currently prohibits restrictive non-compete agreements between employers and some medical provider employees, i.e: physician, PAs and nurses. This bill proposes to expand the prohibition on restrictive non-compete agreements to a variety of health care providers. This bill has been tabled.

Authorize the provision of medical records and the imposition of related fees (Senate Bill 181)

This bill would both update the statute for medical records and establish the allowable fees for providing copies of medical records to patient and third parties. It would help dental offices know how much they are allowed to charge patients and third parties when fulfilling requests for copies of patient files. The maximum allowable charges are greater than what most offices currently charge. The SDDA supports this bill. It was passed out of the Senate Judiciary Committee on a 5-2 vote and will be debated on the Senate floor.

Require a practitioner's medical assessment of a patient to occur in certain facilities for purpose of medical cannabis (House Bill 1172)

This bill would require that assessments for medical cannabis are performed in facilities of health care providers. The bill was amended by listing all of the health care

providers whose facilities could be used for an assessment to use medical cannabis. The purpose was to reign in the locations at which medical cannabis assessments can be done. Dental offices were included in the list of possible facilities for medical cannabis assessments. The SDDA opposes this bill.

Address the potential use of opiate and opioid drugs (Senate Bill 122)

This bill aims to place several restrictions on the prescribing of opioids. It would limit prescribing by a dentist to no more than a three-day supply. The bill appears to greatly infringe on the doctor-patient relationship and would restrict a health care provider's ability to practice their specialty. The bill died in Committee.

Keri Barrow

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