44:04:04:07. ADMISSIONS OF PATIENTS OR RESIDENTS.

The governing body of the facility shall establish and maintain admission, transfer, and discharge policies, with written evidence to assure the patients or residents admitted to and retained in the facility are within the licensure classification of the facility or its distinct part...

44:04:17:03. FACILITY TO PROVIDE INFORMATION ON AVAILABLE SERVICES.

A facility must provide the following information in writing to each resident:

(1) A list of services available in the facility and the charges for such services. The facility must specify which items and services are included in the services for which the resident may not be charged, those other items and services that the facility offers and for which the resident may be charged, and the amount of any such charges;

...(6) A description of how to apply for and use Medicare and Medicaid benefits, and the right to establish eligibility for Medicaid, including the addresses and telephone numbers of the nearest office of the South Dakota Department of Social Services and of the United States Social Security Administration;

(7) A description of the bed-hold policy which indicates the length of time the bed will be held for the resident, any policies regarding the held bed, and readmission rights of the resident.


44:04:17:04. NOTIFICATION WHEN RESIDENT’S CONDITION CHANGES.

A facility must immediately inform the resident, consult with the resident's physician, and, if known, notify the resident’s legal representative or interested family member when any of the following occurs:
(1) An accident involving the resident which results in injury or has the potential for requiring intervention by a physician;

(2) A significant change in the resident’s physical, mental, or psychosocial status;

(3) A need to alter treatment significantly; or

(4) A decision to transfer or discharge the resident from the facility.


44:04:17:14. ADMISSION, TRANSFER, AND DISCHARGE POLICIES.

A facility must establish and maintain policies and practices for admission, discharge, and transfer of residents which prohibit discrimination based upon payment source and which are made known to residents at or before the time of admission. The policies and practices must include:

(1) The resident may remain in the facility and may not be transferred or discharged unless the resident’s needs and welfare cannot be met by the facility, the resident’s health has improved sufficiently so the resident no longer needs the services provided by the facility, the safety or health of individuals in the facility is endangered by the resident, the resident has failed to pay for allowable billed services as agreed to, or the facility ceases to operate;

(2) The facility must notify the resident and a family member or client advocate in writing at least 30 days before the transfer or discharge unless a change in the resident’s health requires immediate transfer or discharge or the resident has not resided in the facility for 30 days. The written notice must specify the reason for and effective date of the transfer or discharge and the location to which the resident will be transferred or discharged;

(3) Conditions under which the resident may request or refuse transfer within the facility; And

(4) A description of how the resident may appeal a decision by the facility to transfer or discharge the resident.