44:04:08:07. Stock of legend drugs prohibited in nursing facilities -- Exception. Legend drugs or medications may not be stocked in bulk form in nursing facilities except in nursing facilities which employ a licensed pharmacist full or part time to supervise, within the facility, the procurement, storage, and dispensing of such drugs and medications. Nursing facilities without a pharmacy shall use the emergency drug box kept on the premises pursuant to § 44:04:08:07.01 or obtain emergency medications from a pharmacy licensed to distribute to outpatients.

Source: SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 14 SDR 81, effective December 10, 1987; 22 SDR 70, effective November 19, 1995.

Law Implemented: SDCL 34-12-13.

44:04:18:03. Exception for employment of unqualified nurse aides. A nursing facility may employ for a maximum of four months an individual to provide nurse aide duties who has not met the qualifications of § 44:04:18:02 if the individual is enrolled in a training and competency evaluation program approved by the department pursuant to §§ 44:04:18:07 and 44:04:18:17 or if the individual can prove that approved training and competency evaluation has been completed and the individual has not yet been included on the registry. The nursing facility must ensure that such an individual actually obtains registry status within the four-month period.


General Authority: SDCL 34-12-29.

Law Implemented: SDCL 34-12-29.