

46:30:08:01. Definitions. Terms used in this chapter mean:

(1) "Applicant," a parent or legal guardian of ~~a child~~ an individual less than ~~18~~ 21 years of age or an individual ~~18 years of age but~~ less than 21 years of age;

(2) "Cochlear implant," a surgically implanted device that assists an individual with severe and profound hearing loss to hear sounds;

(3) "Division," the Division of Rehabilitation Services, a division of the Department of Human Services;

(4) "Initial mapping," the fitting of the external parts of the implant device and programming of the device;

(5) "Profound hearing loss," a hearing impairment of 91dBHL or more;

(6) "Severe hearing loss," a hearing impairment of 71dBHL to 90dBHL;

(7) "Telecommunication fund for the deaf," a fund comprised of the deposit of access fees imposed on local exchange service lines, cellular telephones, and radio pager devices. These funds are used for telecommunication for deaf, severely hearing impaired, and speech impaired individuals.

Source: 32 SDR 32, effective August 29, 2005; 34 SDR 179, effective December 24, 2007.

General Authority: SDCL 49-31-50.2.

Law Implemented: SDCL 49-31-50, 49-31-50.1, 49-31-51.

46:30:08:04. Eligibility criteria. To be eligible for funding for the services described in § 46:30:08:03 the applicant must meet the following criteria:

(1) Is ~~one of the following:~~

~~(a) A child~~ an individual less than ~~five~~ 21 years of age at the time of application;

~~(b) An individual less than 21 years of age who received one implant before the age of five; or~~

~~(c) An individual less than 21 years of age who has a documented progressive hearing loss that led to deafness after speech and language were developed;~~

(2) Is a resident of South Dakota;

(3) Has a severe to profound hearing loss as diagnosed by an audiologist; and

(4) Is medically recommended for a cochlear implant by the ~~child's~~ individual's cochlear implant surgeon.

Source: 32 SDR 32, effective August 29, 2005; 34 SDR 179, effective December 24, 2007.

General Authority: SDCL 49-31-50.2.

Law Implemented: SDCL 49-31-50, 49-31-50.1, 49-31-51.

46:30:08:05. Application. The applicant shall submit a completed and signed application on a form provided by the division and shall include the following information:

- (1) Documentation from the applicant's implant surgeon that one or two cochlear implants is medically recommended;
- (2) Documentation of a progressive hearing loss which led to deafness ~~after speech and language were developed~~, if applicable;
- (3) A written quote of the provider's usual and customary charge for services listed in § 46:30:08:03; and
- (4) Proof of creditable coverage as defined in SDCL 58-18-44, if any.

The division shall reject an application that fails to provide the required information.

Source: 32 SDR 32, effective August 29, 2005; 34 SDR 179, effective December 24, 2007.

General Authority: SDCL 49-31-50.2.

Law Implemented: SDCL 49-31-50, 49-31-50.1, 49-31-51.

Cross-Reference: Creditable coverage defined, SDCL 58-18-44.