

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

814L0652

## SENATE BILL NO. 131

Introduced by: Senator Kooistra and Representatives Lange and Kroger

1 FOR AN ACT ENTITLED, An Act to provide certain insurance and medicaid coverage for  
2 hyperbaric oxygen therapy and related services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 28-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The department shall authorize coverage under the medical assistance program for  
7 hyperbaric oxygen therapy, neuropsychological testing or treatment, or community reintegration  
8 activities necessary as a result of either a traumatic brain injury or any other disorder affecting  
9 the central nervous system, including cerebral edema, cerebral palsy, multiple sclerosis, anoxic  
10 encephalopathies, and any other autoimmune or other disease affecting the central nervous  
11 system.

12 Section 2. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as  
13 follows:

14 Each individual health insurance policy delivered or issued for delivery in this state shall  
15 provide coverage for hyperbaric oxygen therapy, neuropsychological testing or treatment, or  
16 community reintegration activities necessary as a result of either a traumatic brain injury or any



1 other disorder affecting the central nervous system, including cerebral edema, cerebral palsy,  
2 multiple sclerosis, anoxic encephalopathies, and any other autoimmune or other disease  
3 affecting the central nervous system.

4 Section 3. That chapter 58-18 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Each group or blanket health insurance policy delivered or issued for delivery in this state  
7 shall provide coverage for hyperbaric oxygen therapy, neuropsychological testing or treatment,  
8 or community reintegration activities necessary as a result of either a traumatic brain injury or  
9 any other disorder affecting the central nervous system, including cerebral edema, cerebral  
10 palsy, multiple sclerosis, anoxic encephalopathies, and any other autoimmune or other disease  
11 affecting the central nervous system.

12 Section 4. That chapter 58-18B be amended by adding thereto a NEW SECTION to read as  
13 follows:

14 Each small employer health benefit plan delivered or issued for delivery in this state shall  
15 provide coverage for hyperbaric oxygen therapy, neuropsychological testing or treatment, or  
16 community reintegration activities necessary as a result of either a traumatic brain injury or any  
17 other disorder affecting the central nervous system, including cerebral edema, cerebral palsy,  
18 multiple sclerosis, anoxic encephalopathies, and any other autoimmune or other disease  
19 affecting the central nervous system.

20 Section 5. That chapter 58-38 be amended by adding thereto a NEW SECTION to read as  
21 follows:

22 Each service or indemnity-type contract issued by a nonprofit medical and surgical service  
23 plan corporation that is delivered or issued for delivery in this state shall provide coverage for  
24 hyperbaric oxygen therapy, neuropsychological testing or treatment, or community reintegration

1 activities necessary as a result of either a traumatic brain injury or any other disorder affecting  
2 the central nervous system, including cerebral edema, cerebral palsy, multiple sclerosis, anoxic  
3 encephalopathies, and any other autoimmune or other disease affecting the central nervous  
4 system.

5 Section 6. That chapter 58-40 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 Each service or indemnity-type contract issued by a nonprofit hospital service plan  
8 corporation that is delivered or issued for delivery in this state shall provide coverage for  
9 hyperbaric oxygen therapy, neuropsychological testing or treatment, or community reintegration  
10 activities necessary as a result of either a traumatic brain injury or any other disorder affecting  
11 the central nervous system, including cerebral edema, cerebral palsy, multiple sclerosis, anoxic  
12 encephalopathies, and any other autoimmune or other disease affecting the central nervous  
13 system.

14 Section 7. That chapter 58-41 be amended by adding thereto a NEW SECTION to read as  
15 follows:

16 Each health maintenance contract that is delivered or issued for delivery in this state, except  
17 for policies that provide coverage for disease or other limited benefit coverage, shall provide  
18 coverage for hyperbaric oxygen therapy, neuropsychological testing or treatment, or community  
19 reintegration activities necessary as a result of either a traumatic brain injury or any other  
20 disorder affecting the central nervous system, including cerebral edema, cerebral palsy, multiple  
21 sclerosis, anoxic encephalopathies, and any other autoimmune or other disease affecting the  
22 central nervous system.