

State of South Dakota

EIGHTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 2007

556N0048

SENATE BILL NO. 140

Introduced by: Senators Napoli, Apa, Hanson (Gary), Jerstad, Katus, Kloucek, and Koetzle
and Representatives Van Norman, Kirkeby, Lucas, Moore, Rhoden, and
Street

1 FOR AN ACT ENTITLED, An Act to preclude mitigated, corrected, uncorrected effects, or
2 reduction in benefits when determining an award for benefits which may be subjected to the
3 provisions governing temporary, partial, permanent partial or permanent total disability
4 benefits.

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

6 Section 1. That chapter 62-6 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 No reduction in an award of compensation for temporary partial, or temporary total,
9 permanent partial or permanent total loss or impairment may be made because the ability of the
10 claimant's injury or condition is improved, aided, treated, or relieved by the use of medication,
11 pain relieving treatment, devices including prosthetics, or any other ameliorative aid. During the
12 period of treatment for the injury or condition, necessary and reasonable medical treatment shall
13 be provided by insurer or employer in accordance with chapter 62-4.

