AN ACT

ENTITLED, An Act to revise the requirements for coordination of benefits between health plans.

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

Section 1. That § 58-18A-58 be amended to read as follows:

58-18A-58. For the purposes of this chapter, the term, plan, includes:

(1) Group and nongroup insurance contracts and subscriber contracts;

(2) Uninsured arrangements of group or group-type coverage;

(3) Group and nongroup coverage through closed panel plans;

(4) Group-type contracts;

(5) The medical care components of long-term care contracts, such as skilled nursing care;

(6) The medical benefits coverage in automobile no fault and traditional automobile fault type contracts; and

(7) Medicare or other governmental benefits, as permitted by law, except for the medical assistance program. That part of the definition of plan may be limited to the hospital, medical, and surgical benefits of the governmental program.

Section 2. That § 58-18A-59 be amended to read as follows:

58-18A-59. For the purposes of this chapter, the term, plan, does not include:

(1) Hospital indemnity coverage benefits or other fixed indemnity coverage;

(2) Accident only coverage;

(3) Specified disease or specified accident coverage;

(4) Limited benefit health coverage;

(5) School accident-type coverages that cover students for accidents only, including athletic injuries, either on a twenty-four-hour basis or on a to-and-from-school basis;

(6) Medicare supplement policies;

(7) A state plan under the medical assistance program;

(8) A governmental plan, which, by law, provides benefits that are in excess of those of any private insurance plan or other nongovernmental plan; or

(9) Benefits provided in long-term care insurance policies for nonmedical services including personal care, adult day care, homemaker services, assistance with activities of daily living, respite care and custodial care, or for contracts that pay a fixed daily benefit without regard to expenses incurred or the receipt of services.

An Act to revise the requirements for coordination of benefits between health plans.

I certify that the attached Act originated in the

HOUSE as Bill No. 1052

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1052
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State