AN ACT

ENTITLED, An Act to revise certain provisions regarding fees for health services provided to South Dakota injured workers treated by out-of-state medical providers and expenses when death results from injuries to South Dakota workers.

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

Section 1. That § 62-7-8 be amended to read as follows:

62-7-8. Except as otherwise provided, fees for health services, including hospital services, depositions, and reproduction of medical and hospital information, under this title are subject to approval of the department. The department shall, by rule promulgated pursuant to chapter 1-26, establish standards and procedures for determining if charges for health services, including hospital services are excessive and for determining if a provider of health services is performing procedures or providing services at a level or with a frequency that is excessive. The department shall consult with the examining boards of all providers in establishing such standards and procedures. For services rendered by an out-of-state provider, any fee that exceeds the maximum allowed by the fee schedule of the state where service was provided is deemed excessive. No provider of health services, including hospital services, may enforce any judgment against, or collect or attempt to collect from, the employee, the employer, or the employer's insurer any amount in excess of the amount established by the applicable fee schedule or approved under the provisions of this section.

Section 2. That § 62-4-16 be amended to read as follows:

62-4-16. The employer shall pay the burial expense and the expense of a headstone grave marker for an employee whose death resulted from an injury, in an amount not to exceed the sum of ten thousand dollars. If the death occurred in a foreign state or outside the community where the employee is to be buried, the employer shall also pay the cost of transporting the body of the employee to the community where the employee is to be buried.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1118

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Chief Clerk

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_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1118
File No. ____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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

_____
Governor

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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