



2021 South Dakota Legislature

House Bill 1073

HOUSE COMMERCE AND ENERGY ENGROSSED

Introduced by: **Representative Miskimins**

1 **An Act to authorize dentists to void certain contract terms with insurers.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **58-17-146.1. Certain contract terms voidable by dentist.**

5 Any assignment or other contractual term in an agreement between an insurer and
 6 a dentist that purports to share, transfer, or assign contractual discounts to a third party
 7 insurer or entity, without relinquishing the insurer's rights, is severable and voidable at
 8 the dentist's option at the time the agreement is executed by the dentist. The third party
 9 access provision of the agreement shall be clearly identified.

10 For purposes of this section, a third party insurer or entity does not include an
 11 insurer or entity operating under the same brand licensee program as the contracting
 12 insurer.