

2021 South Dakota Legislature

House Bill 1242**AMENDMENT 1242A FOR THE INTRODUCED BILL**

1 **An Act to impose certain duties on providers of services under a case management**
2 **plan of a workers' compensation insurance policy and provide a penalty for a**
3 **violation thereof.**

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

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

6 **62-5-22. Duties of provider of services under case management plan--**

7 **Penalties for violation.**

8 A person who provides medical services or health care to an employee under a
9 case management plan referenced in § 58-20-24 or 62-5-21 ~~may not send~~
10 ~~correspondence to shall include the employee in all communications with~~ the issuer of the
11 ~~policy or the employer unless the correspondence is concurrently sent to the employee.~~

12 A person who provides medical or health care services to any employee under a
13 case management plan referenced in § 58-20-24 or 62-5-21 may not misrepresent the
14 person's identity, credentials, or duties.

15 The secretary of the Department of Labor and Regulation may suspend, revoke, or
16 not renew the certification of a case management plan of any person who violates the
17 provisions of this section. A person who violates the provisions of this section is guilty of
18 Class 2 misdemeanor and is subject to an administrative fine of one hundred dollars
19 payable to the Department of Labor and Regulation.