

AN ACT

ENTITLED, An Act to exempt credit health insurers from certain provisions related to preexisting conditions.

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

Section 1. That § 58-17-97 be amended to read as follows:

58-17-97. Any accident and sickness policy or certificate subject to the provisions of this chapter, other than credit health insurance as defined in subdivision 58-19-2(1) and a health benefit plan as defined in § 58-17-66, shall comply with the following provisions:

- (1) No policy or certificate may deny, exclude, or limit benefits for a covered individual for claims incurred more than twelve months following the effective date of the person's coverage due to a preexisting condition;
- (2) No policy or certificate may define a preexisting condition more restrictively than:
 - (a) A condition that would have caused an ordinarily prudent person to seek medical advice, diagnosis, care, or treatment during the twelve months immediately preceding the effective date of coverage;
 - (b) A condition for which medical advice, diagnosis, care, or treatment was recommended or received during the twelve months immediately preceding the effective date of coverage; or
 - (c) A pregnancy existing on the effective date of coverage.

Section 2. That § 58-18-86 be amended to read as follows:

58-18-86. Any accident and sickness plan or certificate other than credit health insurance as defined in subdivision 58-19-2(1) and a health benefit plan is subject to subdivision 58-18-45(1).

An Act to exempt credit health insurers from certain provisions related to preexisting conditions.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1103

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. 1103
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