



2025 South Dakota Legislature

House Bill 1006

Introduced by: The Chair of the Committee on Health and Human Services at the request of the Department of Social Services

1 **An Act to repeal provisions for state assistance to persons experiencing chronic**
 2 **renal failure.**

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

4 **Section 1. That § 28-6A-2 be REPEALED.**

5 ~~The Department of Social Services shall establish a program for the care and~~
 6 ~~treatment of persons suffering from chronic renal failure requiring dialysis or a transplant.~~
 7 ~~The department shall assist persons who require lifesaving care and treatment for renal~~
 8 ~~failure, but have insufficient income and resources to pay for these services.~~

9 **Section 2. That § 28-6A-8 be REPEALED.**

10 ~~The secretary of social services shall extend financial assistance to persons~~
 11 ~~suffering from chronic renal failure requiring dialysis or a transplant to help them obtain~~
 12 ~~the medical, nursing, pharmaceutical, and technical services and supplies necessary for~~
 13 ~~dialysis or transplants, including the renting or purchase of home dialysis equipment.~~
 14 ~~Assistance may not exceed five thousand dollars annually for each eligible patient.~~
 15 ~~Assistance for chronic renal failure may not exceed the amount that would be allowed for~~
 16 ~~similar care and treatment under the medical assistance program authorized by chapter~~
 17 ~~28-6. A patient is not eligible for assistance under this chapter until the patient has~~
 18 ~~exhausted all other sources of assistance, including veteran's administration benefits,~~
 19 ~~medical or hospital insurance, third party liability, assistance under Titles XVIII or XIX of~~
 20 ~~the Social Security Act, or other public or private benefits or assistance. Eligibility for~~
 21 ~~assistance under chapter 28-13 is not considered as a source of assistance for purposes~~
 22 ~~of this section.~~

23 **Section 3. That § 28-6A-10 be REPEALED.**

1 ~~The secretary of the Department of Social Services may contract with any~~
2 ~~appropriate agency for assistance in carrying out the purposes of this chapter.~~

3 **Section 4. That § 28-6A-12 be REPEALED.**

4 ~~The secretary of social services may promulgate rules pursuant to chapter 1-26 to~~
5 ~~properly administer and enforce the provisions of this chapter. The rules may include~~
6 ~~eligibility for assistance, income and resource limitations, methods of administration and~~
7 ~~record keeping, and the scope and limitation of services to be provided.~~

8 **Section 5. That § 28-6A-13 be REPEALED.**

9 ~~The secretary of social services shall adopt by rule a copayment schedule for~~
10 ~~services under this chapter. The schedule shall consider the income and resources of the~~
11 ~~applicant or recipient. The applicant or recipient shall pay the copayment directly to the~~
12 ~~service provider. The Department of Social Services shall pay to the service provider the~~
13 ~~remainder of the amount of benefits to which the applicant or recipient is entitled under~~
14 ~~this chapter.~~