



## 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 That § 28-6A-2 be REPEALED.**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 That § 28-6A-8 be REPEALED.**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 That § 28-6A-10 be REPEALED.**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 That § 28-6A-12 be REPEALED.**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.~~