

Minutes: House Health and Human Services

Tuesday, February 11, 2025 7:45 AM

Roll Call

Present: Rep. Rehfeldt, Rep. Reimer, Rep. Halverson, Rep. Jordan, Rep. Garcia, Rep. Emery, Rep. Andera, Rep. Kayser, Rep. Schaeffbauer, Rep. Manhart, Rep. Baxter, Rep. Heinemann, and Rep. Mulder

The meeting was called to order by Representative Mulder

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 06TH

Moved by: Heinemann
Second by: Rehfeldt
Action: Prevailed by voice vote

The gavel was passed to Representative Heinemann, Vice Chair.

HB 1058 : prohibit the collecting and reporting of medical debt in certain situations and to provide a penalty therefor.

Presented by: Representative Brian Mulder

Proponents: Dana Bacon, The Leukemia & Lymphoma Society, Washington, D.C.
(Handout(s) #1)
Sarah Graves, self, Pierre
Ross B. Garelick Bell, Rosebud Sioux Tribe, Rosebud
Cole Uecker, Disability Rights South Dakota, Pierre
Ben Hanson, American Cancer Society Cancer Action Network, Sioux Falls
Erik Nelson, AARP South Dakota, Sioux Falls
Deb Fischer Clemens, American Heart Association, Dallas, TX
Melissa McCauley, South Dakotans for Equity, Sioux Falls

Opponents: Karlton Adam, South Dakota Bankers Association, Pierre
Dean Krogman, Independent Community of Bankers of South Dakota, Watertown
Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls
David Owen, South Dakota Chamber of Commerce & Industry, Pierre
Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls
Paul H Knecht, South Dakota Dental Association, Pierre

MOTION: AMEND HB 1058

1058A

On page 1, line 1, of the Introduced bill, after "the" delete " collecting and"

On page 1, line 1, of the Introduced bill, delete " in certain situations" and insert " to a consumer reporting agency"

On page 1, line 17, of the Introduced bill, after "debts." delete "Section 2. That a NEW SECTION be added to chapter 54-1:
"

On page 1, line 18, of the Introduced bill, after "54-1:" delete "A hospital, as defined in § 34-12-1. 1, is prohibited from pursuing the collection of medical debt, as defined in section 1 of this Act, against an individual:

- (1) If the individual informs the hospital of an appeal pertaining to a denial of coverage by the individual's insurance provider, provided the prohibition terminates when the individual receives a final determination from the insurance provider;
- (2) Before the hospital has made reasonable efforts to determine whether the individual is eligible for assistance under the hospital's financial assistance program and, if eligible, before a decision is made by the hospital on the individual's application for financial assistance;
- (3) Before the hospital has provided the individual with an itemized statement;
- (4) For thirty days after notifying the individual in writing, by certified mail, or by other traceable delivery method, that a collection action will commence, absent additional action by the individual;
- (5) While the individual negotiates, in good faith, with the hospital on the final amount of a bill for services or treatments provided; or
- (6) While the individual is in compliance with all terms of a payment plan entered into with the hospital."

Moved by: Reimer
Second by: Rehfeldt
Action: Prevailed by voice vote

MOTION: DO PASS HB 1058 AS AMENDED

Moved by: Emery
Second by: Andera
Action: Prevailed by Majority Members Elect (9-4-0-0)

Voting Yes: Rehfeldt, Reimer, Halverson, Jordan, Garcia, Emery, Andera, Manhart, and Mulder

Voting No: Kayser, Schaefbauer, Baxter, and Heinemann

HB 1210 : prohibit a hospital from reporting medical debt for collection in certain situations.

Presented by: Representative Brian Mulder

Proponents: Dana Bacon, The Leukemia & Lymphoma Society, Washington, D.C.
Melissa Simpson, CHAD, self, Spearfish
Elizabeth Lynn Schenkel, Community HealthCare Association of the Dakotas, Sioux Falls
Ben Hanson, American Cancer Society Cancer Action Network, Sioux Falls
Erik Nelson, AARP South Dakota, Sioux Falls
Cole Uecker, Disability Rights South Dakota, Pierre

Opponents: Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls
Ally Brandner, Sanford Health, Sioux Falls
Kim Malsam-Rysdon, Avera Health, Sioux Falls
Alan Solano, Monument Health, Rapid City
Brett Koenecke, South Dakota Bankers Association, Pierre
Drew Duncan, South Dakota Collectors Association, Brookings
Mitch Rave, Greater Sioux Falls Chamber of Commerce, Sioux Falls

MOTION: DEFER HB 1210 TO THE 41ST LEGISLATIVE DAY

Moved by: Rehfeldt

Second by: Garcia
Action: Prevailed by Majority Members Elect (10-3-0-0)

Voting Yes: Rehfeldt, Reimer, Halverson, Garcia, Emery, Andera, Kayser, Schaeftbauer, Baxter, and Heinemann

Voting No: Jordan, Manhart, and Mulder

The gavel was passed to Representative Mulder, Chair.

HB 1139 : allow individualized investigative treatments for patients with life-threatening or debilitating diseases or conditions.

Presented by: Representative Bobbi Andera (Handout(s) #2)

Proponents: Patrick Bailey, Ph.D., Barry Goldwater Institute for Public Policy Research, Phoenix
Jennifer Beving, Americans For Prosperity, Sioux Falls

MOTION: DO PASS HB 1139

Moved by: Heinemann
Second by: Schaeftbauer
Action: Prevailed by Majority Members Elect (13-0-0-0)

Voting Yes: Rehfeldt, Reimer, Halverson, Jordan, Garcia, Emery, Andera, Kayser, Schaeftbauer, Manhart, Baxter, Heinemann, and Mulder

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1139 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

THE CHAIR DEFERRED HB 1233

MOTION: ADJOURN

Moved by: Heinemann
Second by: Rehfeldt
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ BRIAN MULDER
Brian Mulder, Chair