

2026 South Dakota Legislature

Senate Bill 233**AMENDMENT 233A
FOR THE INTRODUCED BILL**

1 **An Act to prohibit the assessment of certain administrative fees or penalties related**
2 **to the provision of care by an out-of-network provider.**

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

4 **Section 1. That a NEW SECTION be added to chapter 58-17F:**

5 A health carrier may not, through contract or otherwise, assess or impose upon a
6 participating health care provider an administrative fee ~~or, penalty, or payment reduction,~~
7 related to any provision of care to a patient ~~that, member, or enrollee, which~~ involved an
8 out-of-network provider.

9 For purposes of this section, an "out-of-network provider," means a provider, of
10 any item or service, who is not a participating provider.