2020 South Dakota Legislature

House Bill 1137

Introduced by: ***Representative*** *Pischke*

An Act to require the provision of medical billing information and a settlement offer for unpaid medical bills.

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

Section 1. That § 34-12E-8 be AMENDED:

34-12E-8. Disclosure of fees and charges upon request--Unpaid medical bills--Required settlement offer.

All fees and charges for health care procedures shall be disclosed by a health care provider or facility upon request of a patient.

After services have been rendered, the health care provider or facility shall, upon request, provide to the patient a copy of the patient's completed uniform billing claim form, using current procedural terminology, and contact information for a representative able to address the patient's questions or concerns regarding the fees and charges.

Before a health care provider initiates legal action against a patient for unpaid medical bills, the health care provider shall submit to the patient a written offer of settlement in an amount not exceeding one hundred and twenty percent of the Medicare fee schedule for the services rendered, as developed by the Centers for Medicare and Medicaid Services. The offer must remain open for a period of ~~seven~~ sixty days.

An offer not accepted under this section is deemed withdrawn.

An offer required by this section is not admissible in court for purposes of determining the amount or extent of the patient's liability.