

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

724B0748

SENATE COMMERCE COMMITTEE

ENGROSSED NO. **SB223** - 2/4/98

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Senators Lawler, Brown (Arnold), Dennert, Hunhoff, Lange, Morford, Olson, and Staggers and Representatives Hunt, Cutler, Fiegen, Matthews, Sperry, and Waltman

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding insurance coverage
2 for and after delivery of a baby.

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

4 Section 1. That § 58-17-88 be amended to read as follows:

5 58-17-88. If a health insurance policy that is issued or renewed on or after July 1, 1996,
6 provides maternity coverage, the policy shall provide coverage for a minimum of forty-eight
7 hours of inpatient care following a vaginal delivery and a minimum of ninety-six hours of
8 inpatient care following delivery by cesarean section for a mother and her newborn child in a
9 health care facility licensed pursuant to chapter 34-12, except as otherwise provided in
10 § 58-17-89. Any policy that provides coverage for complications of pregnancy, and does not
11 provide other maternity benefits, is not required to comply with this section.

12 Section 2. That § 58-18-76 be amended to read as follows:

13 58-18-76. If a group health insurance policy that is issued or renewed on or after July 1,
14 1996, provides maternity coverage, the policy shall provide coverage for a minimum of

1 forty-eight hours of inpatient care following a vaginal delivery and a minimum of ninety-six hours
2 of inpatient care following delivery by cesarean section for a mother and her newborn child in
3 a health care facility licensed pursuant to chapter 34-12, except as otherwise provided in
4 § 58-18-77. Any policy issued to employers with less than fifteen employees that provides
5 coverage for complications of pregnancy, and does not provide other maternity benefits, is not
6 required to comply with this section.

7 Section 3. That § 58-18B-50 be amended to read as follows:

8 58-18B-50. If a health benefit plan of a small employer carrier that is issued or renewed on
9 or after July 1, 1996, provides maternity coverage, the plan shall provide coverage for a
10 minimum of forty-eight hours of inpatient care following a vaginal delivery and a minimum of
11 ninety-six hours of inpatient care following delivery by cesarean section for a mother and her
12 newborn child in a health care facility licensed pursuant to chapter 34-12, except as otherwise
13 provided in § 58-18B-51. Any policy issued to employers with less than fifteen employees that
14 provides coverage for complications of pregnancy, and does not provide other maternity benefits,
15 is not required to comply with this section.

16 Section 4. That § 58-38-37 be amended to read as follows:

17 58-38-37. If a service or indemnity-type contract issued or renewed on or after July 1, 1996,
18 by a nonprofit medical and surgical service plan corporation provides maternity coverage, the
19 contract shall provide coverage for a minimum of forty-eight hours of inpatient care following
20 a vaginal delivery and a minimum of ninety-six hours of inpatient care following delivery by
21 cesarean section for a mother and her newborn child in a health care facility licensed pursuant
22 to chapter 34-12, except as otherwise provided in § 58-38-38. Any individual policy and any
23 policy issued to employers with less than fifteen employees that provides coverage for
24 complications of pregnancy, and does not provide other maternity benefits, is not required to
25 comply with this section.

1 Section 5. That § 58-40-34 be amended to read as follows:

2 58-40-34. If a service or indemnity-type contract issued or renewed on or after July 1, 1996,
3 by a nonprofit hospital service plan corporation provides maternity coverage, the contract shall
4 provide coverage for a minimum of forty-eight hours of inpatient care following a vaginal
5 delivery and a minimum of ninety-six hours of inpatient care following delivery by cesarean
6 section for a mother and her newborn child in a health care facility licensed pursuant to chapter
7 34-12, except as otherwise provided in § 58-40-35. Any individual policy and any policy issued
8 to employers with less than fifteen employees that provides coverage for complications of
9 pregnancy, and does not provide other maternity benefits, is not required to comply with this
10 section.

11 Section 6. That § 58-41-112 be amended to read as follows:

12 58-41-112. If a health maintenance contract issued or renewed on or after July 1, 1996, by
13 a health maintenance organization provides maternity coverage, the contract shall provide
14 coverage for a minimum of forty-eight hours of inpatient care following a vaginal delivery and
15 a minimum of ninety-six hours of inpatient care following delivery by cesarean section for a
16 mother and her newborn child in a health care facility licensed pursuant to chapter 34-12, except
17 as otherwise provided in § 58-41-113. Any individual policy and any policy issued to employers
18 with less than fifteen employees that provides coverage for complications of pregnancy, and does
19 not provide other maternity benefits, is not required to comply with this section.

1 **BILL HISTORY**

2 1/26/98 First read in Senate and referred to Commerce. S.J. 200

3 1/29/98 Scheduled for Committee hearing on this date.

4 2/3/98 Commerce Do Pass Amended, Passed, AYES 5, NAYS 0. S.J. 293

5 2/3/98 Commerce Place on Consent Calendar.