

2020 South Dakota Legislature

House Bill 1137**AMENDMENT 1137A FOR THE INTRODUCED BILL**

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

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

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

5 **34-12E-8. Disclosure of fees and charges upon request--Unpaid medical**
6 **bills--Required settlement offer.**

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

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

13 Before a ~~not-for-profit~~ health care provider initiates ~~collection or~~ legal action for
14 unpaid medical bills against a patient ~~for unpaid medical bills identified as a direct-pay,~~
15 self-pay, or a member of a recognized medical expense sharing association, the health
16 care provider shall submit to the patient a written offer of settlement in an amount ~~not~~
17 exceeding greater than one hundred and twenty percent of the Medicare fee schedule for
18 the services rendered, as developed by the Centers for Medicare and Medicaid Services.
19 The offer must remain open for a period of ~~seven~~ sixty days.

20 An offer not accepted under this section is deemed withdrawn.

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