

State of South Dakota

EIGHTY-SEVENTH SESSION LEGISLATIVE ASSEMBLY, 2012

193T0306

HOUSE BILL NO. 1190

Introduced by: Representatives Hubbel, Liss, Magstadt, Nelson (Stace), Olson (Betty), and
Venner

1 FOR AN ACT ENTITLED, An Act to require Legislative approval before a health insurance
2 exchange is created or implemented.

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

4 Section 1. No public health insurance exchange may be created or implemented without the
5 express approval of the Legislature.

6 Section 2. No provision under Title 58 may be construed as granting the director of
7 insurance, or any other person, the authority to create or implement a public health insurance
8 exchange.

9 Section 3. For purposes of this Act, health insurance exchange means any government run
10 or administered health benefit market as defined in the federal Patient Protection and Affordable
11 Care Act, Pub. L No. 111-148, 124 Stat. 119 (2010) as amended by the Health Care and
12 Education Reconciliation Act of 2010, Pub. L. No. 111-152, 142 Stat. 1029 (2010) where
13 individuals or small businesses with up to one hundred employees may purchase qualified health
14 benefit plans.

