



2025 South Dakota Legislature

House Bill 1070

Introduced by: **Representative** Schaeffbauer

1 **An Act to prohibit cost-sharing in certain health insurance policies for diagnostic**
 2 **and supplemental breast imaging examinations.**

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

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

5 A health insurance policy may not impose any cost-sharing requirement on an
 6 individual enrolled under the policy with respect to a screening examination, diagnostic
 7 breast examination, or supplemental breast examination, when the examination is
 8 medically necessary.

9 Terms used in this section mean:

10 (1) "Cost-sharing requirement," a deductible, coinsurance, copayment, or similar out-
 11 of-pocket expense, and any maximum limitation on the application of the
 12 deductible, coinsurance, or copayment;

13 (2) "Diagnostic breast examination," a medically necessary and appropriate
 14 examination of the breast, in accordance with nationally recognized guidelines, that
 15 is:

16 (a) Used to evaluate an abnormality seen or suspected from a screening
 17 examination for breast cancer; or

18 (b) Used to evaluate an abnormality detected by another means of
 19 examination; and

20 (3) "Supplemental breast examination," a medically necessary and appropriate
 21 examination of the breast, in accordance with nationally recognized guidelines, that
 22 is:

23 (a) Used to screen for breast cancer when no abnormality is seen or suspected;
 24 and

1 **(b) Based on personal or family medical history, extremely dense or**
2 **heterogeneously dense breasts, or other factors that increase the**
3 **individual's risk of breast cancer.**

4 **If an application of this section would result in the ineligibility of a health savings**
5 **account under 26 U.S.C. § 223 (June 1, 2025), this section applies only to a health savings**
6 **account-qualified high deductible health plan's deductible after the enrolled individual has**
7 **satisfied the minimum deductible under 26 U.S.C. § 223. An item or service that is for**
8 **preventative care, pursuant to 26 U.S.C. § 223(c)(2)(C) (June 1, 2025), may not be**
9 **considered as satisfying the minimum deductible.**

10 **Section 2. That a NEW SECTION be added to chapter 58-18:**

11 **A group health insurance policy may not impose any cost-sharing requirement on**
12 **an individual enrolled under the policy with respect to a screening examination, diagnostic**
13 **breast examination, or supplemental breast examination, when the examination is**
14 **medically necessary.**

15 **Terms used in this section mean:**

16 **(1) "Cost-sharing requirement," a deductible, coinsurance, copayment, or similar out-**
17 **of-pocket expense, and any maximum limitation on the application of the**
18 **deductible, coinsurance, or copayment;**

19 **(2) "Diagnostic breast examination," a medically necessary and appropriate**
20 **examination of the breast, in accordance with nationally recognized guidelines, that**
21 **is:**

22 **(a) Used to evaluate an abnormality seen or suspected from a screening**
23 **examination for breast cancer; or**

24 **(b) Used to evaluate an abnormality detected by another means of**
25 **examination; and**

26 **(3) "Supplemental breast examination," a medically necessary and appropriate**
27 **examination of the breast, in accordance with nationally recognized guidelines, that**
28 **is:**

29 **(a) Used to screen for breast cancer when no abnormality is seen or suspected;**
30 **and**

31 **(b) Based on personal or family medical history, extremely dense or**
32 **heterogeneously dense breasts, or other factors that increase the**
33 **individual's risk of breast cancer.**

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