



## 2025 South Dakota Legislature

# House Bill 1210

Introduced by: **Representative Mulder**

1 **An Act to prohibit a hospital from reporting medical debt for collection in certain**  
2 **situations.**

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

4 **Section 1. That a NEW SECTION be added to chapter 54-1:**

5 A hospital, as defined in § 34-12-1.1, is prohibited from reporting medical debt to  
6 a medical debt collector for the purpose of collecting the medical debt:

7 (1) If the individual informs the hospital of an appeal pertaining to a denial of coverage  
8 by the individual's insurance provider, provided the prohibition terminates when  
9 the individual receives a final determination from the insurance provider;

10 (2) Before the hospital has made reasonable efforts to determine whether the  
11 individual is eligible for assistance under the hospital's financial assistance program  
12 and, if eligible, before a decision is made by the hospital on the individual's  
13 application for financial assistance;

14 (3) Before the hospital has provided the individual with an itemized statement of health  
15 care services or treatments provided to an individual;

16 (4) For thirty days after notifying the individual in writing, by certified mail, or by other  
17 traceable delivery method, that a collection action will commence, absent  
18 additional action by the individual;

19 (5) While the individual negotiates, in good faith, with the hospital on the final amount  
20 of a bill for services or treatments provided to an individual; or

21 (6) While an individual is in compliance with all terms of a payment plan entered into  
22 with the hospital.

23 An individual who claims to be adversely affected by this section is permitted to  
24 bring a civil action against the hospital for the recovery of actual damages suffered and  
25 attorney's fees.

- 1           For purposes of this section, "medical debt" means a debt arising from health care  
2           services or treatments provided to an individual.
- 3           For purposes of this section, "medical debt collector" means a person who collects  
4           or attempts to collect a medical debt.