

2021 South Dakota Legislature

House Bill 1242**AMENDMENT 1242B FOR THE INTRODUCED BILL**

1 **An Act to impose certain duties on providers of services under a case management**
2 **plan of a workers' compensation insurance policy and provide a penalty for a**
3 **violation thereof.**

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

5 **Section 1.** That a NEW SECTION be added:

6 **62-5-22. Duties of provider of services under case management plan--**

7 **Penalties for violation.**

8 A person who provides medical services or health care to an employee under a
9 case management plan referenced in § 58-20-24 or 62-5-21 ~~may not send~~
10 ~~correspondence to the issuer of the policy or the employer unless the correspondence is~~
11 ~~concurrently sent to the employee.~~

12 ~~A person who provides medical or health care services to any employee under a~~
13 ~~case management plan referenced in § 58-20-24 or 62-5-21 may:~~

14 ~~(1) Shall include the employee in all communications with the issuer of the policy; and~~

15 ~~(2) May not misrepresent the person's identity, credentials, or duties.~~

16 The secretary of the Department of Labor and Regulation may suspend, revoke, or
17 not renew the certification of a case management plan ~~of, if any person who provides~~
18 ~~medical services or health care to an employee under the plan violates the provisions of~~
19 ~~this section.~~

20 A person who violates ~~the provisions of~~ this section is guilty of a Class 2
21 ~~misdemeanor and is subject to an administrative fine, of one hundred dollars, payable to~~
22 ~~the Department of Labor and Regulation department.~~