

AN ACT

ENTITLED, An Act to define the insurer's responsibilities concerning health insurance policies in relation to the eligibility of minor dependents for coverage.

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

Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as follows:

For any insurer that chooses to automatically cover any newborn or newly adopted child as a dependent without requiring the notice in § 58-17-30.4 and does not collect or track the demographic information on the dependent child, the insurer shall take reasonable steps to provide adequate notice of the insured's responsibility to advise the insurer when there is no longer any child eligible for dependent coverage. An insurer is considered to have taken reasonable steps if prominent disclosure of this responsibility is included in the policy or certificate, subscriber contract, evidence of coverage, or employee handbook if such are provided to all insureds and also provided to prospective insureds at the time of application for coverage. Upon receipt of a notice that a dependent is no longer eligible, the insurer shall adjust the coverage accordingly and, if applicable, return to the insured any unearned premium. This section applies to any policy or certificate subject to the provisions of chapters 58-17 and 58-18.

An Act to define the insurer's responsibilities concerning health insurance policies in relation to the eligibility of minor dependents for coverage.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1074

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1074
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State