

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

929Z0132

## SENATE HEALTH AND HUMAN SERVICES ENGROSSED NO. **HB 1205** - 2/12/2018

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Heinemann, Campbell, Clark, DiSanto, Goodwin, Holmes, McCleerey, McPherson, Mills, Otten (Herman), Rasmussen, Rounds, Rozum, Schaefer, Steinhauer, and York and Senators Solano, Frerichs, Killer, Klumb, Kolbeck, Nelson, Rusch, Soholt, Tapio, White, and Youngberg

1 FOR AN ACT ENTITLED, An Act to require certain health benefit plans to provide coverage  
2 to persons with a serious medical condition for certain dental care services.

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

4 Section 1. That § 58-17-84.1 be amended to read:

5 58-17-84.1. Any health benefit plan as defined by § 58-17-63 shall cover anesthesia and  
6 hospital or ambulatory surgery center charges for dental care provided to a covered person who:

7 (1) Is a child under age five; or

8 (2) ~~Is severely disabled or otherwise suffers from a developmental disability as~~  
9 ~~determined by a licensed physician which places such person at serious risk~~ If  
10 determined by a licensed physician, is severely disabled, has a developmental  
11 disability, or otherwise has a medical condition that places the person at serious  
12 medical risk.

13 ~~Such~~ The coverage applies regardless of whether the services are provided in a hospital,



1 ambulatory surgery center, or a dental office. A health carrier may require prior authorization  
2 ~~of hospitalization for dental care procedures~~ in the same manner that prior authorization is  
3 required for ~~hospitalization~~ for other covered diseases or conditions.

4 Section 2. That § 58-18-45.1 be amended to read:

5 58-18-45.1. Any health benefit plan as defined by § 58-18-42 shall cover anesthesia and  
6 hospital ~~or ambulatory surgery center~~ charges for dental care provided to a covered person who:

7 (1) Is a child under age five; or

8 (2) ~~Is severely disabled or otherwise suffers from a developmental disability as~~  
9 ~~determined by a licensed physician which places such person at serious risk~~ If  
10 determined by a licensed physician, is severely disabled, has a developmental  
11 disability, or otherwise has a medical condition that places the person at serious  
12 medical risk.

13 ~~Such~~ The coverage applies regardless of whether the services are provided in a hospital,  
14 ambulatory surgery center, or a dental office. A health carrier may require prior authorization  
15 ~~of hospitalization for dental care procedures~~ in the same manner that prior authorization is  
16 required for ~~hospitalization~~ for other covered diseases or conditions.

17 Section 3. That the code be amended by adding a NEW SECTION to read:

18 The provisions of this Act are effective the first plan year, policy year, or renewal date on  
19 or after January 1, 2019.