

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

675Z0848

HOUSE HEALTH AND HUMAN SERVICES

ENGROSSED NO. **HB 1250** - 2/1/2018

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

Introduced by: Representative Heinemann and Senator Solano

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the sale and  
2 possession of tobacco products.

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, suffers from a  
11 developmental disability, or otherwise has a medical condition that places the person  
12 at serious 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



1 ~~of hospitalization for dental care procedures~~ in the same manner that prior authorization is  
2 required ~~for hospitalization~~ for other covered diseases or conditions.

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

4 58-18-45.1. Any health benefit plan as defined by § 58-18-42 shall cover anesthesia and  
5 hospital or ambulatory surgery center charges for dental care provided to a covered person who:

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

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

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

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

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