**20:06:10:08.02.  Health insurance advertisement or solicitation disclosure statements.** Any health insurance advertisement or solicitation that includes a statement for which disclosure is required pursuant to § 20:06:10:08.01 must contain in close proximity to any such statement and in an at least as conspicuous a form as the statement itself, the following disclosure or an alternative as may be approved by the director:

Premiums or rates may increase for other reasons such as an increase applicable to all persons covered under this type of policy or certificate in this state.

Failure to comply with any provision of this section creates a presumption that an advertisement or solicitation is deceptive, misrepresentative, or misleading.

**Source:** 32 SDR 128, effective January 29, 2006; 38 SDR 116, effective January 10, 2012.

**General Authority:** SDCL 58-33A-7(13)(14)(15).

**Law Implemented:** SDCL 58-33-5, 58-33-6, 58-33A-2, 58-33A-8.