**20:06:13:78.  Medicare Advantage plan.** For purposes of this chapter, Medicare Advantage plan means a plan of coverage for health benefits under Medicare Part C as defined in 42 U.S.C. 1395w-28(b)(1), as in effect on January 1, 2004, and includes:

(1)  Coordinated care plans which provide health care services, including health maintenance organization plans, with or without a point-of-service option, plans offered by provider-sponsored organizations, and preferred provider organization plans;

(2)  Medicare medical savings account plans coupled with a contribution into a Medicare Advantage medical savings account; and

(3)  Medicare Advantage private fee-for-service plans.

**Source:** 25 SDR 44, effective September 30, 1998; 26 SDR 26, effective September 1, 1999; 31 SDR 214, effective July 6, 2005.

**General Authority:** SDCL 58-17A-2(9).

**Law Implemented:** SDCL 58-17A-2(9).